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NEW DELHI, SATURDAY, 'APRIL 4, 1998/CHAITRA 14, 1920

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-Section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांख्यिकीय आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 16 मार्च, 1998

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSION
(Department of Personnel & Training)

New Delhi, the 16th March, 1998

का.आ. 664.—केन्द्रीय सरकार एतद्वारा दंड प्रक्रिया
संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24
की खारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए
श्री अमरीक सिंह चीमा, लोक अभियोजक, केन्द्रीय अन्वेषण
ब्यूरो को दिल्ली विशेष पुलिस स्थापना द्वारा विचारण
न्यायालयों में संस्थित मामलों तथा किसी राज्य अथवा संघ
राज्य क्षेत्र जिस पर पूर्वोक्त धारा के उपबन्ध लागू होने हैं,
में विधि द्वारा स्थापित पुनरीक्षण अथवा अपील न्यायालयों में
इन मामलों से उद्भूत अपीलों/पुनरीक्षणों अथवा अन्य विषयों
का संकलन करने के लिए विशेष लोक अभियोजक के रूप
में नियुक्त करती है।

[सं. 225/1/98-एवीडी-II]

हरि सिंह, अवर सचिव

S.O. 664.—In exercise of the powers conferred
by sub-section (8) of section 24 of the Code of
Criminal Procedure, 1973 (Act No. 2 of 1974), the
Central Government hereby appoints Sh. Amrik
Singh Cheema, Public Prosecutor of the Central
Bureau of Investigation as Special Public Prosecutor
for the conduct of cases instituted by Delhi Special
Police Establishment in the trial courts and appeals/
revisions or other matters arising out of these cases
in revisional or appellate courts established by Law
in any State or Union Territory to which the provi-
sion of the aforesaid section apply.

[No. 225/1/98-AVD.II]

HARI SINGH, Under Secy.

शुद्धि-पत्र

New Delhi, the 20th March, 1998

नई दिल्ली, 20 मार्च, 1998

का.आ. 665.—कर्मिक एवं प्रशिक्षण विभाग की दिनांक 8-11-1995 की अधिसूचना सं. 225/31/95-ए.बी.डी.-II (भारत के राजपत्र में 1995 के का.आ. सं. 3065 द्वारा प्रकाशित) में आंशिक संशोधन करते हुए केन्द्रीय सरकार, एतद्द्वारा बम्बई पदनामित न्यायालय में लम्बित मामला सं. आर.सी. 1 (एस)/93-सी. बी. आई.-एस. टी. एफ/मुम्बई (न्यायालय मामला सं. बी.बी.सी. 1 से 93 तक) आतंकवादी तथा विध्वंसकारी गतिविधियां (निरोधक) अधिनियम, 1987 की धारा 13 की उपधारा (1) के अधीन श्री जे.आर. मदान, अधिवक्ता, 603, माहेश्वरी भवन, धोबी तलाब, जे.शंकर रोड, मुम्बई की विशेष लोक-अभियोजक के रूप में नियुक्ति को तत्काल प्रभाव से निरस्त करती है।

[सं. 225/31/95-ए.बी.डी.-II]

हरि सिंह, अवर सचिव

CORRIGENDUM

New Delhi, the 20th March, 1998

S.O. 665.—In partial modification of Department of Personnel and Training Notification No. 225/31/95-AVD-II dated 8-11-1995 (published in the Gazette of India vide S.O. No. 3065 of 1995), Central Government hereby rescinds the appointment of Sh. J. R. Madan, Advocate, 603, Maheshwari Bhavan, Dhobi Talav, J. Sankar Road, Bombay as Special Public Prosecutor made under the provision of sub-section (1) of Section 13 of Terrorist and Disruptive Activities (Prevention) Act, 1987 in case No. RC.1(S)/93-CBI-STF/Bombay (Court Case No. BBC 1 to 93) pending in Designated Court, Bombay with immediate effect.

[No. 225/31/95-AVD-II]

HARI SINGH, Under Secy.

नई दिल्ली, 20 मार्च, 1998

का.आ. 666.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्द्वारा श्री आर. एम. निजारी, अधिवक्ता दिल्ली को जिला एवं सत्र न्यायाधीश, अदालत (हृष्यणा) की अदालत में मामला संख्या आर. सी. 1 (एस)/97-एस. आई. वू.-1/एस. आई. सी. -1/सी. बी. आई./नई दिल्ली और किसी अन्य न्यायालय में उससे जुड़े अथवा उसके साथ घटित किसी अन्य मामले में संचालन हेतु विशेष लोक अभियोजक नियुक्त करती है।

[संख्या 225/14/97-ए. बी.डी.-II (ii)]

हरि सिंह, अवर सचिव

S.O. 666.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Sh. R. M. Tewari, Advocate, Delhi as Special Public Prosecutor for conducting case No. RC-1(S)/97/SIU-I/SIC-I. CBI, New Delhi, in the Court of the District and Sessions Judge, Ambala (Haryana) and any other matter connected therewith or incidental thereto in any other Court.

[No. 225/14/97-AVD. II(ii)]

HARI SINGH, Under Secy.

मुख्य आयकर आयुक्त का कार्यालय

सं. 7/97-98

कलकत्ता, 25 फरवरी, 1998

का.आ. 667.—उप आयकर आयुक्त (अपील) रेंज-18, कलकत्ता का प्रभार तथा उप आयकर आयुक्त (अपील) रेंज-जलपाईगुडी का प्रभार एतद्द्वारा 15-04-98 से समाप्त किया जाता है।

उप आयकर आयुक्त, विशेष रेंज-जलपाईगुडी का एक नया प्रभार, जिसका मुख्यालय जलपाईगुडी है तथा उप आयकर आयुक्त, रेंज-सिलिगुडी, जिसका मुख्यालय सिलिगुडी है का एक और नया प्रभार, दोनों ही आयकर आयुक्त जलपाईगुडी के चार्ज में, 15-04-1998 से सृजित किया जाता है।

[एफ सं. म.आ./मुख्या/योजना/14/97-98]

पी.के. शर्मा, मुख्य आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

No. 7/97-98

Calcutta, the 25th February, 1998

S.O. 667.—In charge of Deputy Commissioner of Income-tax (Appeals) Range-XVIII, Calcutta and the Charge of Deputy Commissioner of Income tax (Appeals) Range-Jalpaiguri are hereby abolished with effect from 15-4-1998.

A new charge of Deputy Commissioner of Income tax, Special Range-Jalpaiguri with Headquarters at Jalpaiguri and another new charge of Deputy Commissioner of Income-tax, Range-Siliguri with Headquarters at Siliguri both in the charge of the Commissioner of Income-tax, Jalpaiguri are created with effect from 15-4-1998.

[F. No. AC/HQ/Planning/10/97-98]

P. K. SARMA, Chief Commissioner

सं० 8/97-98

कलकत्ता, 25 फरवरी, 1998

का.आ. 668.-आयकर अधिनियम, 1961 (1961 के 43) की धारा 120 की उपधारा (1) एवं (2) में दिये गये अधिकार, अधिसूचना संख्या 7842/17/87-आ.अधि/एम.ओ.सं. 361(ई) दिनांक 01-04-1988 के अनुसार के.प्र.का. बोर्ड रई दिल्ली द्वारा दिये गए अधिकार एवं इस संदर्भ में मुझे सौंपे गये अन्य अधिकारों का प्रयोग करते हुए, मैं, मुख्य आयकर आयुक्त, कलकत्ता अधिसूचना सं. 7/91-92 दिनांक 19-07-1991 में आंशिक आशोधन करने हुए एतद्वारा 15-4-1998 से प्रभावी उप आयकर आयुक्त (अपील) रेंज-XVIII कलकत्ता एवं उप आयकर आयुक्त (अपील) रेंज जलपाईगुड़ी के प्रभार उन्मूलित करता हूँ।

मैं एतद्वारा यह भी निदेश देता हूँ कि उनको दिये गये क्षेत्राधिकार के साथ-साथ उप आयकर आयुक्त (अपील) रेंज-1, कलकत्ता एवं उप आयकर आयुक्त (अपील) रेंज-IX कलकत्ता क्रमशः पूर्व उप आयकर आयुक्त (अपील) रेंज-जलपाईगुड़ी एवं उप आयकर आयुक्त (अपील) रेंज-XVIII, कलकत्ता के क्षेत्राधिकार में फाइल किये गये अपील केसों में अपने क्षेत्राधिकार का प्रयोग करेंगे।

उप आयकर आयुक्त (अपील) रेंज-I, कलकत्ता एवं उप आयकर आयुक्त (अपील) रेंज-IX, कलकत्ता की नोच दी गई अनुपूर्वी के कालम 3 में अधिकारियों द्वारा पास किये गये आदेशों के ऊपर अपीलीय क्षेत्राधिकार होगा।

अनुसूची

क्रम सं. मुख्यालयों के साथ उप आयकर आयुक्त (अपील)	उ.आ.आ. (अ) पर प्रशासनिक नियंत्रण रखने वाले आ.आ. का पदनाम	निर्धारण अधिकारी द्वारा पास किये गये आदेशों के ऊपर उ.आ. आ. का क्षेत्राधिकार (अ)
(1)	(2)	(3)
1. उप आयकर आयुक्त (अपील) रेंज-I, कलकत्ता	आ.आ.प.ब.-II कलकत्ता	<p>निम्न के अधीन सक्रिय (अनु.) सर्कलों एवं वार्ड ग्रहण किए हुए सभी निर्धारण अधिकारियों (स.शा. एवं आ. अधिकारियों)</p> <p>(अ) 1. उ.आ.आ. रेंज-1, कलकत्ता 2. उ.आ.आ. रेंज-7, कलकत्ता 3. उ.आ.आ. रेंज-जलपाईगुड़ी 4. उ.आ.आ. रेंज-सलीगुड़ी</p> <p>(ब) आ.नि. (छूट) कलकत्ता के प्रधान कार्यालय सभी आयकर सहायक निदेशक एवं आयकर अधिकारी</p> <p>(स) पूर्व आ. जिला का कोर्ट वार्ड/सक्रिय/अनुपात ग्रहण किये हुए आ. अधि. द्वारा पास किये गये आदेशों से सम्बन्धित सभी बकाया अपीलें।</p> <p>1. कम्प. जिला-I, कलकत्ता 2. कम्प. जिला-II, कलकत्ता 3. विदेशी कम्प. सक्रिय-I, कलकत्ता 4. विदेशी कम्प-सक्रिय-II, कलकत्ता 5. विदेशी अनुभाग 6. अनिवासी सक्रिय</p> <p>(द) पूर्व नि.स.आ. जलपाईगुड़ी रेंज के अधीन कोई वार्ड/सक्रिय ग्रहण किये हुए आ. अधि. द्वारा पास किये गये आदेशों से सम्बन्धित सभी बकाया अपीलें।</p>

(1)	(2)	(3)
2. उप आयकर आयुक्त (अपील) रेंज-IX, कलकत्ता	आ.आ.प.व. कल० VII, कलकत्ता (अ)	(ब) निम्न के अधीन सफिल, (अनुसंधान) सफिल, एवं वाडे ग्रहण किए हुए सभी निर्धारण अधिकारी (स.आ. एवं आ.अधि.)
		1. उ.आ.आ., रेंज-6, कलकत्ता 2. उ.आ.आ., रेंज-II, कल. 3. उ.आ.आ., रेंज-20, कलकत्ता.
		(ब) पूर्व आयकर जिला/सफिल/अनुभाग के कोई वाडे/सफिल ग्रहण किए हुए आ.अधि. द्वारा पास किए गये आदेशों से सम्बन्धित सभी बकाया अपीलें।
		1. जिला V (अ), कल. 2. जिला III (अ), कल. 3. केन्द्रीय वेतन सफिल, कल. 4. विधेय सफिल-V, कल. 5. आर.एम.एस.सी. 6. वार्षिक रिटर्न (टी डी एस) अनुभाग 7. ट्रस्ट सफिल, कल. 8. वापसी, सफिल, कल. 9. चार्टर्ड लेखाकार सफिल 10. इन्श्योरेंस एजेंट सफिल

[स. स.आ./मुख्या./योजना/80]97-98]

पी.के. शर्मा, मुख्य आयुक्त

No. 8/97-98

Calcutta, the 25th February, 1998

S.O. 668.—In exercise of the power conferred by Sub-section (1) and (2) of Section 120 of the Income-tax Act, 1961 (43 of 1961) and in exercise of powers conferred on me by the Central Board of Direct Taxes, New Delhi by Notification No. 7842/17/88-ITJ/S.O. No. 361 (E) dated 01-04-1988 and all other powers enabling me in this behalf, I, the Chief Commissioner of Income-tax, Calcutta, in partial modification of Notification No. 7/91-92 dated 19-07-1991 hereby abolish the charges of Deputy Commissioner of Income-tax (Appeals) Range-XVIII, Calcutta and the Deputy Commissioner of Income-tax (Appeals) Range Jalpaiguri with effect from 15-04-1998.

I also hereby direct that in addition to the jurisdiction already assigned to them, the Deputy Commissioner of Income-tax (Appeals) Range-I, Calcutta and the Deputy Commissioner of Income-tax (Appeals) Range-IX, Calcutta will hereafter exercise jurisdiction over appeal cases filed in the jurisdiction of the erstwhile Deputy Commissioner of Income-tax (Appeals) Range-Jalpaiguri and the Deputy Commissioner of Income-tax (Appeals) Range-XVIII, Calcutta respectively with effect from 15-04-1998.

The Deputy Commissioner of Income-tax (Appeals) Range-I, Calcutta and the Deputy Commissioner of Income-tax (Appeals) Range-IX, Calcutta will have appellate jurisdiction over orders passed by the Officers as per Column 3 of the Schedule given below :—

SCHEDULE

Sl. No.	Deputy Commissioner of Income-tax (Appeals) with Headquarters	Designation of the C.I.T. holding administrative control over DCIT (A)	Jurisdiction of the DCIT (A) over orders passed by the Assessing Officer
1		2	3
1.	Deputy Commissioner of Income-tax (Appeals) Range-I, Cal. Calcutta.	C.I.T., W.B.-II, Calcutta.	<p>(A) All Assessing Officers (ACs. & ITOs.) holding (Inv.) Circles, Circles and Wards functioning under :—</p> <ol style="list-style-type: none"> 1. DCIT, Range-I, Cal. 2. DCIT, Range-7, Cal. 3. DCIT, Range-Jalpaiguri. 4. DCIT, Range-Siliguri. <p>(B) All Asst. Directors of Income-tax & Income-tax Officers functioning under DIT (Exemption). Cal.</p> <p>(C) All pending appeals pertaining to orders passed by the ITOs. holding any Ward/Circle of erstwhile I.T. Dist./Circle/Section:—</p> <ol style="list-style-type: none"> 1. Comp. Dist.-I, Calcutta. 2. Comp. Dist.-II, Calcutta. 3. Foreign Co. Circle-I, Calcutta. 4. Foreign Co. Circle-II, Calcutta. 5. Foreign Section. 6. Non-resident Circle. <p>(D) All pending appeals pertaining to orders passed by the ITOs. holding any Ward/Circle under the erstwhile I.A.C. Jalpaiguri Range.</p>
2.	Dy. Commissioner of Income-tax (Appeals), Range-IX, Calcutta, Calcutta.	CIT, WB-VII, Cal. Calcutta.	<p>(A) All Assessing Officers (ACs. & ITOs.) holding (Investigation) Circle, Circles and Wards. functioning under:—</p> <ol style="list-style-type: none"> 1. DCIT, Range-6, Cal. 2. DCIT, Range-11, Cal. 3. DCIT, Range-20, Cal. <p>(B) All pending appeals pertaining to orders passed by the ITOs. holding any Ward/Circle of erstwhile I.T. District/Circle/Section :—</p> <ol style="list-style-type: none"> 1. Dist. V(A), Cal. 2. Dist. III(A), Cal. 3. Central Salary Circle, Cal. 4. Special Circle-V, Cal. 5. R.M.S.C

1

2

3

6. Annual Return (TDS) Section.
7. Trust Circle, Calcutta.
8. Refund Circle, Calcutta.
9. Chartered Accountants' Circle.
10. Insurance Agents Circle.

[No. AC/HQ/Planning/80/97-98]

P. K. SARMA, Chief Commissioner of Income-Tax

विदेश मंत्रालय

(कौन्सुलर विभाग)

नई दिल्ली, 9 मार्च, 1998

का.आ. 669.—राजनयिक कौन्सली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का प्रधान कौन्सलवास जेद्दा में सहायक श्री कुमार गुरुन्दा मधुसुदन राव, 9 मार्च, 1998 से सहायक कौन्सली अधिकारी करने के लिए प्राधिकृत करती है।

[फा. सं. टी-4330/1/98]

एन. यू. अविराचन, अवर सचिव (पी. वी. एस.)

MINISTRY OF EXTERNAL AFFAIRS

(Consular Section)

New Delhi, the 9th March, 1998

S.O. 669.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri Kumaragunta Madhusudhana Rao, Asstt. in the Consulate General of India, Jeddah to perform the duties of Assistant Consular Officer with effect from 9th March, 1998.

[F. No. T-4330/1/98]

N. U. AVIRACHEN, Under Secy. (Cons.)

नई दिल्ली, 10 मार्च, 1998

का.आ. 670.—राजनयिक कौन्सली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का वृत्तावास मोस्को ए. पी. और डब्ल्यू. ओ. श्री के. एन. रैना को 10 मार्च, 1998 से सहायक कौन्सली अधिकारी करने के लिए प्राधिकृत करती है।

[फा. सं. टी-4330/1/98]

एन. यू. अविराचन, अवर सचिव (पी. पी. एस.)

New Delhi, the 10th March, 1998

S.O. 670.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri K. L. Raina, AP & WO in the Embassy of India, Moscow to perform the duties of Assistant Consular Officer with effect from 10th March, 1998.

[F. No. T-4330/1/98]

N. U. AVIRACHEN, Under Secy. (Cons.)

नई दिल्ली, 10 मार्च, 1998

का.आ. 671.—राजनयिक कौन्सली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का भारतीय उच्चायोग लंदन में सहायक श्री मेहर सिंह को 14 नवम्बर, 1997 से सहायक कौन्सलर अधिकारी करने के लिए प्राधिकृत करती है।

[फा. सं. टी-4330/1/98]

एन. यू. अविराचन, अवर सचिव (पी. वी. एस.)

New Delhi, the 10th March, 1998

S.O. 671.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri Mehar Singh, Asstt. in the High Commission of India London to perform the duties of Assistant Consular Officer with effect from 14th November, 1997.

[F. No. T-4330/1/98]

N. U. AVIRACHEN, Under Secy. (Cons.)

नई दिल्ली, 10 मार्च, 1998

का.आ. 672.—राजनयिक कौन्सली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का उच्चायोग लंदन में सहायक श्रीमति रजनी सिक्का को 18 नवम्बर, 1996 से सहायक कौन्सलर अधिकारी करने के लिए प्राधिकृत करती है।

[फा. सं. टी-4330/1/98]

एन. यू. अविराचन, अवर सचिव (पी. वी. एस.)

New Delhi, the 10th March, 1998

S.O. 672.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Smt. Rani Sikkaj, Asstt. in the High Commission of India London to perform the duties of Assistant Consular Officer with effect from 18th November, 1996.

[F. No. T-4330/1/98]

N. U. AVIRACHEN, Under Secy. (Cons.)

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 18 मार्च, 1998

MINISTRY OF HUMAN RESOURCE

DEVELOPMENT

(Department of Education)

New Delhi, the 18th March, 1998

का.आ. 673.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) में प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 06 जुलाई, 1996 की मानव संसाधन विकास मंत्रालय, शिक्षा विभाग की अधिसूचना सं. का.आ. 1961 का अधिक्रमण करते हुए, उन कार्यों को छोड़कर जो इस प्रकार के अधिक्रमण से पूर्व किये गये हो या किये जाने से रह गये हों, केन्द्र सरकार एतद्वारा श्री नजीर हुसैन खान को जो कि अलीगढ़ मुस्लिम विश्वविद्यालय में विधि विभाग में प्रोफेसर के तौर पर कार्यरत हैं, सरकारी राजपत्रित अधिकारी के समकक्ष अधिकारी होने के नाते, उक्त अधिनियम के उद्देश्य के लिए संपदा अधिकारी नियुक्त करती है, जो अलीगढ़ मुस्लिम विश्वविद्यालय द्वारा या इसकी ओर से पट्टे पर लिये गये अलीगढ़ जिले की स्थानीय सीमाओं के अन्तर्गत सरकारी स्थानों के संबंध में प्रदत्त शक्तियों का प्रयोग करेंगे और उक्त अधिनियम के अन्तर्गत या इसके द्वारा संपदा अधिकारी को सौंपे गये दायित्वों का निर्वाह करेंगे।

[स. एफ-3-7/98-डेस्क (यू)]

के.एल. नंदवानी, डेस्क अधिकारी

S.O. 673.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in supersession of the notification of the Government of India in the Ministry of Human Resource Development (Department of Education), No. S.O. 1961, dated the 6th July, 1996, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints Professor Nazier Hasan Khan, Department of Law, Aligarh Muslim University, being an Officer equivalent to the rank of a gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed, on the estate officer by or under the said Act, in respect of the public premises within the local limits of Aligarh District belonging to, or taken on lease by, or on behalf of, the Aligarh Muslim University.

[No. F. 3-7/98-Desk(U)]

K. L. NANDWANI, Desk Officer

कोयला मंत्रालय

नई दिल्ली, 16 मार्च, 1998

का. आ. 674.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 23 मार्च, 1996 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 115, तारीख 1 मार्च, 1996 का अधिक्रमण करते हुए, नीचे दी गई सारणी के स्तम्भ (1) में उल्लिखित अधिकारियों को जो कम्पनी के अधिकारी हैं, और केन्द्रीय सरकार के राजपत्रित अधिकारी की पंक्ति के समतुल्य हैं, उक्त अधिनियम के प्रयोजन के सम्पदा अधिकारियों के रूप में नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में तत्संबंधी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों के प्रवर्गों की बावन अपनी अधिकारिता की सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और उन पर अधिरोपित कर्तव्यों का पालन करेंगे।

सारणी

अधिकारी का पदनाम	सरकारी स्थान के प्रवर्ग और अधिकारिता की स्थानीय सीमा
(1)	(2)
उप मुख्य सम्पदा प्रबन्धक, सेन्दूल कोलफील्ड लिमिटेड, गंची (पिन कोड 834001)	सेन्दूल कोलफील्ड लिमिटेड, रांची के और उसके प्रशासनिक नियंत्रणाधीन सभी परिसर
कर्मचारिवृन्द अधिकारी (परियोजना और योजना) सेन्दूल कोलफील्ड लिमिटेड, कठारा, पिन कोड 829116	सेन्दूल कोलफील्ड लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित कठारा क्षेत्र का भाग हैं और बोकारो तथा गिरीडीह जिलों में फैले हुए हैं।
कर्मचारिवृन्द अधिकारी (परियोजना और योजना) सेन्दूल कोलफील्ड लिमिटेड, मोरी, पिन कोड सं. 825102	सेन्दूल कोलफील्ड लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित धोरी क्षेत्र के भाग हैं और बोकारो क्षेत्र में फैले हुए हैं।

(1)

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, कारगली,
पिन कोड सं. 829104

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, गिरीडीह;
पिन कोड सं. 815310

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, बरकतकाना,
पिन कोड सं. 829103

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, सयाल
पिन कोड सं. 829125

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, आगंदा,
पिन कोड सं. 829101

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, कुजु,
पिन कोड सं. 825316

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, चरही,
पिन कोड सं. 825336

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, पिपरवार,
पिन कोड सं. 829201

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड उत्तरी, करमपुरा, डाकरा
पिन कोड सं. 829210

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड, राजहमन, डास्टनगंज,
पिन कोड सं. 822101

कर्मचारिवृन्द अधिकारी (कार्मिक)
सैन्ट्रल कोलफील्ड्स लिमिटेड;
केन्द्रीय कार्यालय बरकतकाना,
पिन कोड सं. 829103

(2)

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित बोकारो और कारगली क्षेत्र के भाग हैं और बोकारो और गिरीडीह जिलों में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित गिरीडीह क्षेत्र के भाग हैं और गिरीडीह और बोकारो जिलों में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित बरकतकाना क्षेत्र के भाग हैं और हजारीबाग जिले में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित सयाल क्षेत्र के भाग हैं और हजारीबाग जिले में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित आगंदा क्षेत्र के भाग हैं और हजारीबाग जिले में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित कुजु क्षेत्र के भाग हैं और हजारीबाग जिले में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित चरही क्षेत्र के भाग हैं और हजारीबाग जिले में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित पिपरवार क्षेत्र के भाग हैं और हजारीबाग, छतरा और गंजी जिलों में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित उत्तरी करमपुरा क्षेत्र के भाग हैं और छतरा और गंजी जिलों में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित राजहमन क्षेत्र के भाग हैं और पलामू जिले में फैले हुए हैं।

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में स्थित केन्द्रीय कार्यालय बरकतकाना के भाग हैं और हजारीबाग जिले में फैले हुए हैं।

1

2

कर्मचारिवृन्द अधिकारी (कार्मिक),
सैन्ट्रल कोलफील्ड्स लिमिटेड,
खान बचाव केन्द्र, नई सराय,
पिन कोड सं. 829122

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में
स्थित खान बचाव केन्द्र, नई सराय के भाग हैं और हजारीबाग
जिले में फैले हुए हैं।

कर्मचारिवृन्द अधिकारी (कार्मिक)
सैन्ट्रल कोलफील्ड्स लिमिटेड
नई सराय अस्पताल, नई सराय
पिन कोड सं. 829122

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में
स्थित नईसराय अस्पताल के भाग हैं और हजारीबाग जिले में
फैले हुए हैं।

कर्मचारिवृन्द अधिकारी
(परियोजना और योजना)
सैन्ट्रल कोलफील्ड्स लिमिटेड राजप्पा
पिन कोड सं. 825101

सैन्ट्रल कोलफील्ड्स लिमिटेड के सभी परिसर जो बिहार राज्य में
स्थित राजरप्पा क्षेत्र के भाग हैं और हजारीबाग जिले में फैले
हुए हैं।

[फा. सं. 43022/2/97—एल. डब्ल्यू./सी. ए.]

ए. बैनर्जी, निदेशक

New Delhi, the 16th March, 1998

No. i.S.O. 674.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Un-authorized Occupant) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Coal No. S.O. 115, dated the 1st March, 1996, published in the Gazette of India, Part-II, Section 3, sub-section (ii), dated the 23rd March, 1996, the Central Government hereby appoints the officers mentioned in column (1) of the table below, being the officers of the Company and equivalent to the rank of Gazetted Officer of the Central Government, to be the Estate Officers for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Estate Officers by or under the said Act, within the limits of their jurisdictions in respect of categories of the public premises specified in the corresponding entry in column (2) of the said table.

Table

Designation of the Officer	Categories of the public premises and local limit of jurisdiction
(1)	(2)
Deputy Chief Estate Manager, Central Coalfields Limited, Ranchi Pin Code No. 834001.	All the premises belonging to and under the administrative control of Central Coalfields Limited, Ranchi.
Staff Officer (Project and Planning), Central Coalfields Limited, Kathara Pin Code No. 829116.	All the premises belonging to Central Coalfields Limited and forming part of Kathara Area situated in the State of Bihar and spread over in the districts of Bokaro and Giridih.
Staff Officer (Project and Planning), Central Coalfields Limited, Dhori Pin Code No. 825102.	All the premises belonging to Central Coalfields Limited and forming part of Dhori Area and spread over in the district of Bokaro and situated in the State of Bihar.
Staff Officer (Project and Planning), Central Coalfields Limited, Kargali Pin Code No. 829104.	All the premises belonging to Central Coalfields Limited and forming part of Bokaro and Kargali Area spread over in the districts of Bokaro and Giridih situated in the State of Bihar.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Giridih.
Pin Code No. 815310.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Barkakana.
Pin Code No. 829103.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Sayal
Pin Code No. 829125.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Argada.
Pin Code No. 829101.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Kuju.
Pin Code No. 825316.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Charhi,
Pin Code No. 825336.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Piparwar.
Pin Code No. 829201.

Staff Officer (Project and Planning),
Central Coalfields Limited,
North Karanpura, Dakra.
Pin Code No. 829210.

Staff Officer (Project and Planning),
Central Coalfields Limited,
Rajhara, Daltanganj.
Pin Code No. 822101

Staff Officer (Personnel),
Central Coalfields Limited,
Central Workshop
Barkakana,
Pin Code No. 829103.

Staff Officer (Personnel),
Central Coalfields Limited,
Mines Rescue Station,
Naisarai.
Pin Code No. 829122,

Staff Officer (Personnel),
Central Coalfields Limited,
Naisarai Hospital, Naisara
Pin Code No. 829122.

All the premises belonging to Central Coalfields Limited
and forming part of Giridih Area spread over in the
districts of Giridih and Bokaro situated in the State of
Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Barkakana Area spread over in the
district of Hazaribagh situated in the State of Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Sayal Area spread over in the
district of Hazaribagh and situated in the State of
Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Argada Area spread over in the
district of Hazaribagh and situated in the State of
Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Kuju Area spread over in the
district of Hazaribagh and situated in the State of
Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Charhi Area spread over in the
district of Hazaribagh and situated in the State of
Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Piparwar Area spread over in
the districts of Hazaribagh, Chatra and Ranchi and
situated in the State of Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of North Karanpura Area spread
over in the districts of Chatra and Ranchi and situated
in the State of Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Rajhara Area spread over in the
district of Palamau and situated in the State of Bihar.

All the premises belonging to Central Coalfields Ltd.
and forming part of Central Workshop Barkakana
and spread over in the district of Hazaribagh and
situated in the State of Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Mines Rescue Station, Naisarai
and spread over in the district of Hazaribagh and
situated in the State of Bihar.

All the premises belonging to Central Coalfields Limited
and forming part of Naisarai Hospital spread over in
the district of Hazaribagh and situated in the State of
Bihar.

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Staff Officer (Project and Planning),
Central Coalfields Limited,
Rajrappa,
Pin Code No. 825101.

All the premises belonging to Central Coalfields Limited
and forming part of Rajrappa Area spread over in
the district of Hazaribagh and situated in the State of
Bihar.

[No. 43022/2/97-LW/CA]
A. BANERJI, Director

शुद्धि पत्र

नई दिल्ली, 17 मार्च, 1998

कां०आ० 675 :—भारत सरकार के राजपत्र भाग-2, खंड 3, उपखंड (ii) दिनांक 20 सितम्बर, 1997 के पृष्ठ क्रमांक 4402 से 4422 पर प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना कां०आ० 2298 दिनांक 5 सितम्बर, 1997 में :—

पृष्ठ सं० 4402 अनुच्छेद 1 में :—

- स्तंभ 2 पर 19 अक्टूबर के स्थान पर 9 अक्टूबर पढ़ें ।
- अनुच्छेद 4 में पंक्ति 2 पर क्षेत्र 170. 110 के स्थान पर 1701. 110 पढ़ें ।
- अनुच्छेद 5 पंक्ति 4 पर “बुरला” के स्थान पर “बुरला” पढ़ें ।
- अनुच्छेद में स्तंभ 2 पर गांवों के नाम के स्थान पर निम्न प्रकार पढ़ें ।
- क्रमांक 1 में “हिसामुला” के स्थान पर “हिसमुल” पढ़ें ।
- क्रमांक 4 में “लंगीजोड़ा” के स्थान पर “लांगीजोड़ा” पढ़ें ।
- क्रमांक 5 में “खंदोल बहाल” के स्थान पर “खान्दोलबहाल” पढ़ें ।
- क्रमांक 8 में “काघल” के स्थान पर “कांघाल” पढ़ें ।
- स्तंभ 3 एवं 4 में सभी जगह “तलचर” के स्थान पर “तालचर” पढ़ें ।
- अधिसूचना के सभी जगह पर इन गांवों के उल्लिखित शुद्ध नाम पढ़ें ।

पृष्ठ सं० 4403 पर :—

- पंक्ति 15 में प्लॉट 263 एवं 268 के स्थान पर 363 एवं 368 पढ़ें ।
- पंक्ति 32 में प्लॉट सं० 577 के स्थान पर 757 पढ़ें ।
- पंक्ति 42 में प्लॉट सं० 2162 के स्थान पर 1262 पढ़ें ।
- पंक्ति 46 में प्लॉट सं० 13340 के स्थान पर 1340 पढ़ें ।
- पंक्ति 51 में प्लॉट सं० 1721 के स्थान पर 1621 पढ़ें ।
- पंक्ति 54 में प्लॉट सं० 696 के स्थान पर 1696 पढ़ें ।

पृष्ठ सं० 4404 पर :—

- पंक्ति 5 में प्लॉट सं० 452/5932 एवं 453/5933 के स्थान पर 453/5932 एवं 452/5933 पढ़ें ।
- क्रमांक 2 जिला गांव में :—
- पंक्ति 12 में प्लॉट सं० 239 न पढ़ें ।

पृष्ठ सं० 4405 पर :—

- पंक्ति 16 में प्लॉट सं० 0133 के स्थान पर 1033 पढ़ें ।
- पंक्ति 17 में प्लॉट सं० 1942 के स्थान पर 1042 पढ़ें ।

पृष्ठ सं० 4406 पर :—

- पंक्ति 28 में प्लॉट सं० 2192 के बाद प्लॉट सं० 219 के स्थान पर 2193 पढ़ें ।
- पंक्ति 29 में प्लॉट सं० 221 के स्थान पर 2212 पढ़ें ।
- पंक्ति 44 में प्लॉट सं० 2497 के स्थान पर 2487 पढ़ें ।

पृष्ठ सं० 4407 पर :—

- पंक्ति 7 में प्लॉट सं० 2926 के स्थान पर 2826 पढ़ें ।
- पंक्ति 34 में प्लॉट सं० 3319 के स्थान पर 756/3319 पढ़ें ।
- पंक्ति 35 में प्लॉट सं० 1212/3332 के स्थान पर 1221/3332 पढ़ें ।
- पंक्ति 40 में प्लॉट सं० 3139/3384 के स्थान पर 3119/3384 पढ़ें ।
- पंक्ति 42 में प्लॉट सं० 1084/3409 एवं 3086, 3411 के स्थान पर क्रमशः 1083/3409 एवं 3086/3411 पढ़ें ।
- पंक्ति 44 में प्लॉट सं० 3235/2423 एवं 3235/2425 के स्थान पर क्रमशः 3235/3423 एवं 3235/3425 पढ़ें तथा प्लॉट सं० 3277/3428 के बाद 3295/3429 जोड़ें ।
- पंक्ति 45 में प्लॉट सं० 1410/3431 एवं 1410/3432 के स्थान पर क्रमशः 1510/3431 एवं 1510/3432 पढ़ें ।
- पंक्ति 48 में प्लॉट सं० 13/2/3467 के स्थान पर 1352/3467 पढ़ें ।
- पंक्ति 49 में प्लॉट सं० 1348/3472 के स्थान पर 1348/3472 पढ़ें ।
- पंक्ति 53 में प्लॉट सं० 253/413 एवं 3214, 3515 के स्थान पर क्रमशः 2/3513 एवं 3234/3515 पढ़ें ।
- पंक्ति 54 में प्लॉट सं० 1339/3512 के स्थान पर 1339/3521 पढ़ें ।
- पंक्ति 55 में प्लॉट सं० 2772/3539 के स्थान पर 2772/3530 पढ़ें ।
- पंक्ति 56 में प्लॉट सं० 1097/3441 के स्थान पर 1097/3541 पढ़ें ।
- पंक्ति 57 में प्लॉट सं० 1101/3245 एवं 2497/3531 के स्थान पर क्रमशः 1101/3545 एवं 2497/3551 पढ़ें ।
- पंक्ति 58 में प्लॉट सं० 1140/3453 के स्थान पर 1140/3554 पढ़ें ।

पृष्ठ सं० 4408 ग्राम, नरहरिपुर में :—

- पंक्ति 37 में प्लॉट सं० 828, 829, 830, 831, 832, 835 एवं 836 न पढ़ें ।

पृष्ठ सं० 4409 पर—

- पंक्ति 3 में प्लॉट सं० 1/87 न पढ़ें ।

गांव कंधाल में :—

- पंक्ति 5 में प्लॉट सं० 234 के स्थान पर 2334 पढ़ें ।

सीमा वर्णन में : (क—ख)

- पंक्ति 1 में ग्राम “एकदल” के स्थान पर “एकडाल” पढ़ें ।
- पंक्ति 3 में “अल्लाह हंगरा” के स्थान पर “अल्लाह नगर” एवं “हिसामुला” के स्थान पर “हेंसमूल” पढ़ें ।
- ख—ग :—पंक्ति 2 में “उत्तरी—पूर्व” के स्थान पर “उत्तरी—पश्चिम” पढ़ें ।

पृष्ठ सं० 4410 पर :—

- ग—घ :—पंक्ति 15 में प्लॉट सं० 1342 के स्थान पर 1349 पढ़ें ।

पृष्ठ सं० 4411 पर :—

- ट—ठ—ड—ढ :—पंक्ति 1 में ‘और 406’ को न पढ़ें ।

[फा० सं० 43015/3/96-एलडब्ल्यू/सीए]
ए० बनर्जी, निदेशक

CORRIGENDA

New Delhi, the 17th March, 1998

S.O.775.—In the notification of the Government of India in the Ministry of Coal number S.O. 2298 dated the 5th September, 1997. published at pages 4402 to 4422 of the Gazette of India, Part-II, Section-3, Sub-section cii), dated the 20th September, 1997 :—

- (1) At page 4412 ,—

in para 5, in line 1, for “(CD&P)” read “(C&P)”.

- (2) At page 4413, in heading “plot numbers acquired in village Hensamula (part)” :—

(a) in line 15, for “263, 268” read “363, 368”.

(b) in line 20 for “4861” read “486”.

- (3) At page 4414,—
in line 14, for "2162" read "1262".
- (4) At page 4415,—
(a) in line 2, omit plot number "239".
(b) in line 5, for "211" read "311".
- (5) At page 4416,—
(a) in line 33, for "1700" read "1800".
(b) in line 38, for "1886, 1888" read "1886, 1887, 1888" and for "1892, 1892" read "1892, 1893".
(c) in line 52, for "1151" read "2151".
(d) in line 54, for "2184, 2184" read "2184, 2185".
- (6) At page 4417,—
(a) in line 5, for "2457" read "2357".
(b) in line 9, for "2333" read "2433".
(c) in line 12, for "2497" read "2487".
(d) in line 20, for "2625, 2627" read "2625, 2626, 2627".
(e) in line 23, for "2587" read "2687".
(f) in line 36, for "2931" read "2921".
(g) in line 38, for "2862" read "2962".
(h) in line 39, for "2873" read "2973".
(i) in line 44, for "2066" read "3066".
- (7) At page 4418,—
(a) in line 3, for "1212/3332" read "1221/3332" and for "2456/3338" read "2456/3337".
(b) in line 4, for "885/334" read "885/3348".
(c) in line 5, for "1833349" read "18/3349" and for "1313/3352" read "1313/3353".
(d) in line 9, for "281/3337" read "281/3397".
(e) in line 12, for "3595/3429" read "3295/3429".
(f) in line 25, for "2497/3531" read "2497/3551".
(g) in line 26, for "1140/ 3454" read "1140/3554".
(h) in line 27, for "895/3556" read "595/3565".
- (8) At page 4418, under the heading "plot numbers acquired in village Naraharipur (part)",—
(a) in line 4, for "83, 83, 84" read "83, 84, 85".
(b) in line 17, for "554" read "454".
(c) in line 18, for "460" read "467".
- (9) At page 4419,—
(a) in line 29, for "10118/1268" read "1018/1268".
(b) in line 30, for "835/1289" read "824/1289".
(c) in line 31, for "366/1211" read "366/1311".
- (10) At page 4420, under the heading "plot numbers acquired in village Kandhal (part)"—
in line 8, for "2260, 2495" read "2260/2495".
- (11) At page 4421, (1) under the heading 'Boundary Description', in sub heading H-I,—
(a) in line 1, for "alolng" read "along".
(b) in line 23, for "that" read "then".
(2) in sub heading I—J—K,—
in line 4, for "alone" read "along".

[No. 43015/3/96-LSW/CA]
A. BANERJI, Director

नई दिल्ली, 19 मार्च, 1998

का०आ० 676:—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 7 की उपधारा (1) के अधीन भारत सरकार के कोयला मंत्रालय की अधिसूचना सं० का०आ० 1407 तारीख 25 अप्रैल, 1996 जो भारत के राजपत्र, भाग 2, खंड 3, उपखंड (2) तारीख 11 मई, 1996 में प्रकाशित की गई थी उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में, जिसका माप 1237.02 एकड़ (लगभग) या 500.615 हेक्टर (लगभग) में खनिजों के खनन, खदान, बोर करने, खुदाई और तलाश करने उन पर कार्य करने और उन्हें ले जाने के अधिकारों के अर्जन करने के अपने आशय की सूचना दी थी,

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है,

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 1216.52 एकड़ (लगभग) या 492.319 हेक्टर (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, खुदाई करने और तलाश करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 1216.52 एकड़ (लगभग) या 492.319 हेक्टर (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, खुदाई और तलाश करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं० एस ई सी एल/बी एस जी/जी एम (प्लानिंग) लैंड/185 तारीख 2 जुलाई, 1997 का निरीक्षण कलेक्टर बिलासपुर (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट कलकत्ता के कार्यालय में या साउथ ईस्टर्न कोलफील्ड लि० (राजस्व विभाग) सीपत रोड, बिलासपुर 495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

अनुसूची

करताली ब्लाक

कोरवा कोलफील्डस

जिला—बिलासपुर (मध्य प्रदेश)

खनन अधिकार

क्रम सं०	ग्राम का नाम	पटवारी हल्का सं०	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	डोंगानाला	26	काठघोड़ा	बिलासपुर	10.882	भाग
2.	करताला	26	काठघोड़ा	बिलासपुर	458.887	भाग
3.	तेंदूभठा	26	काठघोड़ा	बिलासपुर	22.550	भाग

कुल

492.319 हेक्टर (लगभग)

या

1216.52 एकड़ (लगभग)

1. ग्राम डोंगानाला (भाग) में अर्जित किए गए प्लॉट सं०

3 (भाग), 5 (भाग), 6, 13 से 38, 39 (भाग), 40, 41 (भाग), 72 (भाग), 73, 74 (भाग), 75 (भाग), 77 (भाग), 78 से 80, 81 (भाग), 82, 83 (भाग), 84, 85, 86 (भाग), और 120 (भाग)

2. ग्राम करताला (भाग), में अर्जित किए गए प्लॉट सं०

1 से 27, 28 (भाग), 29 से 52, 53 (भाग), 54 से 56, 57 (भाग), 58 (भाग), 62 (भाग), 63 (भाग), 65 (भाग), 66 (भाग), 146 (भाग), 150 से 193, 194 (भाग), 195, 196, 197 (भाग), 285 (भाग), 291 (भाग), 294 (भाग), 295 से 297, 298 (भाग), 301 (भाग), 302 (भाग), 305 से 314, 315/1, 315/2, 316 से 323, 324 (भाग), 325 (भाग), 329 (भाग), 330 (भाग), 332 (भाग), 333 (भाग), 334, 335, 336 (भाग), 337 (भाग), 338 (भाग), 339 से 341, 342 (भाग), 343 से 453, 454/1, 454/2, 455 से 502, 503 (भाग), 504 (भाग), 505 (भाग), 506 (भाग), 512 (भाग), 514 से 584, 585 (भाग), 586 (भाग), 596 (भाग), 597 (भाग), 598 (भाग), 603 (भाग), 606 से 617, 618 (भाग), 621 (भाग), 622 (भाग), 623 से 629, 630 (भाग), 631 (भाग), 635 (भाग), 637 (भाग), 638 (भाग), 639 (भाग), 640 से 642, 643 (भाग), 644 से 649, 650 (भाग), 666 (भाग) और 668 (भाग),

3. ग्राम तेंदूभठा (भाग) में अर्जित किए गए प्लॉट सं०

100 (भाग), 101 से 118, 119 (भाग), 122 (भाग), 123 (भाग) और 124 (भाग)।

सीमा वर्णन

- क-ख : रेखा जोगानाला, डोंगिया, तेंदूभठा ग्रामों के तिराहे पर "क" बिन्दु से आरम्भ होती है और भागतः ग्राम तेंदूभठा की दक्षिणी सीमा के साथ-साथ गुजरती है तथा "ख" बिन्दु पर मिलती है ।
- ख-ग-ग 1 : रेखा ग्राम तेंदूभठा में प्लॉट सं० 100 से होकर प्लॉट सं० 116 की उत्तरी पूर्वी सीमा के साथ-साथ चलती है उसके बाद प्लॉट सं० 119, 122, 123, 124 से होकर जाती है । इसके बाद ग्राम करनाला में प्रवेश करती है और प्लॉट सं० 53, 57, 53, 58, 53, 28, 333, 332, 336, 337 से होकर गुजरती है । उसके पश्चात् प्लॉट सं० 340 की भागतः उत्तरी सीमा के साथ-साथ प्लॉट सं० 338, 330, 62, 63, 65, 66, 63, 329, 330, 342, 324, 325, 294, 291, 298, 301, 302 से होकर फिर प्लॉट सं० 303 की भागतः उत्तरी सीमा के साथ-साथ प्लॉट सं० 285 से होकर जाती है और "ग" बिन्दु पर मिलती है ।
- ग-1-ग-2-घ : रेखा ग्राम करनाला में प्लॉट सं० 197, 146, 650, 643, 666, 668, से होकर गुजरती है उसके बाद भागतः प्लॉट सं० 668 की पूर्वी सीमा के साथ-साथ चलती है उसके पश्चात् प्लॉट सं० 668, 637 से होकर गुजरती है और "घ" बिन्दु पर मिलती है ।
- घ-ङ : रेखा ग्राम करनाला में प्लॉट सं० 637, 638, 639, 631, 630, 635, 622, 621, 618, 603, 598, 596, 597, 596, 194, 586, 512, 585, 512, 506, 505, 503, 504 से होकर गुजरती है और "ङ" बिन्दु पर मिलती है ।
- ङ-च-छ : रेखा करनाला ग्राम की भागतः दक्षिणी सीमा के साथ-साथ चलती है जो नाला के साथ-साथ भी जाती है और "च" बिन्दु पर मिलती है ।
- च-च-1-छ : रेखा ग्राम गणेशपुरा डोंगानाला की भागतः सम्मिलित सीमा के साथ-साथ चलती है इसके पश्चात् ग्राम डोंगानाला में प्रवेश करती है और प्लॉट सं० 86, 83, 81, 75, 77, 74, 39, 74, 39, 120 से होकर गुजरती है तथा "छ" बिन्दु पर मिलती है ।
- छ-क : रेखा ग्राम डोंगानाला से होकर प्लॉट सं० 120, 39, 72, 41, 5 से होकर प्लॉट सं० 6, 18, 17, 16, 15, 14, 13, की पश्चिमी सीमा के साथ-साथ चलती है प्लॉट सं० 3 से होकर आगे जाती है उसके पश्चात् ग्राम करनाला-डोंगानाला की भागतः सम्मिलित सीमा के साथ-साथ चलती है और आरम्भिक बिन्दु "क" पर मिलती है ।

[फा०सं० 43015/19/94-एल०एल०सं०डब्ल्यू०/सी०ए०]

ए० बैनर्जी, निदेशक

MINISTRY OF COAL

New Delhi, the 19th March, 1998.

S.O.676.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1407 dated the 25th April, 1996, issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), and published in Part II, Section 3 sub-section (ii) of the Gazette of India, dated 11th May 1996 the Central Government gave notice of its intention, to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the land measuring 1237.02 acres (approximately) or 500.615 hectares (approximately), in the locality specified in the Schedule appended to that notification:

And whereas the competent authority, in pursuance of section 8 of the said Act, has made his report to the Central Government:

And whereas the Central Government, after considering the report aforesaid and after consulting the Government of Madhya Pradesh, is satisfied that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1216.52 acres (approximately) or 492.319 hectares (approximately) described in the Schedule appended hereto, should be acquired;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands, measuring 1216.52 acres (approximately) or 492.319 hectares (approximately) described in the said schedule appended hereto are hereby acquired.

The plan bearing No. : SECL/BSP/GM(PLG)/Land/185 dated 2nd July, 1997, of the area covered by this notification may be inspected in the Office of the Collector, Bilaspur (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the South Eastern Coalfields Limited (Revenue Department) Seepat Road, Bilaspur-495 006 (Madhya Pradesh).

SCHEDULE
KARTALI BLOCK
KORBA COALFIELDS

DISTRICT—BILASPUR (MADHYA PRADESH)

MINING RIGHTS

Serial Number	Name of Village	Petwari Halka Number	Tehsil	District	Area in hectares	Remarks
1.	Donganala	26	Katghora	Bilaspur	10.882	Part
2.	Kartala	26	Katghora	Bilaspur	458.887	Part
3.	Tendubhatha	26	Katghora	Bilaspur	22.550	Part

TOTAL : 492.319 Hectares (approximately) or 1216.52 Acres (approximately)

1. Plot numbers acquired in village—Donganala (Part)

3(Part), 5(Part), 6, 13, to 38, 39 (Part), 40, 41 (Part), 72 (Part), 73, 74 (Part), 75 (Part), 77 (Part), 78 to 80, 81 (Part), 82, 83 (Part), 84, 85, 86 (Part) & 120 (Part).

2. Plot numbers acquired in village—Kartala (Part)

1 to 27, 28 (Part), 29 to 52, 53 (Part), 54 to 56, 57 (Part), 58 (Part), 62 (Part), 63 (Part), 65 (Part), 66 (Part), 146 (Part), 150 to 193, 194 (Part), 195, 196, 197 (Part), 285 (Part), 291 (Part), 294 (Part), 295 to 297, 298 (Part), 301 (Part), 302 (Part), 303 to 314, 315/1, 315/2, 316 to 323, 324 (Part), 325 (Part), 329 (Part), 330 (Part), 332 (Part), 333 (Part), 334, 335, 336 (Part), 337 (Part), 338 (Part), 339 to 341, 342 (Part), 343 to 453, 454/1, 454/2, 455 to 503 (Part), 504 (Part), 505 (Part), 506 (Part), 512 (Part), 514 to 584, 585 (Part), 586 (Part), 596 (Part), 597 (Part), 598 (Part), 603 (Part), 606 to 617, 618 (Part), 621 (Part), 622 (Part), 623 to 629, 630 (Part), 631 (Part), 635 (Part), 637 (Part), 638 (Part), 639 (Part), 640 to 642, 643 (Part), 644 to 649, 650 (Part), 666 (Part), & 668 (Part).

3. Plot numbers acquired in village Tendubhatha (Part)

100 (Part), 101 to 118, 119 (Part), 122 (Part), 123 (Part) & 124 (Part).

BOUNDARY DESCRIPTION

- A—B** Line starts from point 'A' on the Trijunction of villages Donganala, Domia, Tendubhatha and pass partly along the Western Boundary of village Tendubhatha and meets at point 'B'.
- B—C—C1** Line passes through village Tendubhatha through plot number 100, along the North Eastern Boundary of plot number 116, then through plot numbers 119, 122, 123, 124, then enter in village Kartala and passes through plot numbers 53, 57, 53, 58, 53, 28, 333, 332, 336, 337, then partly along the northern boundary of plot number 340, through plot numbers 338, 330, 62, 63, 65, 66, 63, 329, 330, 342, 324, 325, 294, 291, 298, 301, 302, then partly along the northern boundary of plot number 303 through plot numbers 285 and meets at point 'C1'.
- C1—C2—D** Line passes through village Kartala through plot numbers 197, 146, 650, 643, 666, 668, then partly along the eastern boundary of plot number 668, then through plot numbers 668, 637, and meets at point 'D'.
- D—E** Line passes through village Kartala through plot numbers 637, 638, 639, 631, 630, 635, 622, 621, 618, 603, 598, 596, 597, 596, 194, 586, 512, 585, 512, 506, 505, 503, 504 and meets at point 'E'.
- E—F** Line passes partly along the Southern boundary of village Kartala which is also along the Nullah and meets at point 'F'.

- F—F1—G Line passes along the partly common boundary of villages Ganeshpur—Donganala then entre in village Donganala and passes through plot numbers 86, 83, 81, 75, 71, 74, 39, 74, 29, 120, and meets at point 'G'.
- G—A Line passes through village Donganala through plot numbers 120, 39, 72, 41, 5, alongwith the Western boundary of plot numbers 6, 18, 17, 16, 15, 14, 13, proceeds through plot number 3, then partly along the common boundary of village Kartala-Donganala and meets at the starting point 'A'.

[No. : 43015/19/94-LSW/CA]

A. BANERJI, Director

कोयला मंत्रालय

नई दिल्ली, 19 मार्च, 1998

का०आ०. 677. :—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना सं० का०आ० 1403 तारीख 24 अप्रैल, 1996, जो भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii) ता० 11 मई, 1996 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में, जिसका माप 697.2.30 एकड़ (लगभग) या 2821.65 हेक्टर (लगभग) है, खनिजों के खनन, खदान, बोर करने, उनकी खुदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों के अर्जन करने के अपने आशय की सूचना दी थी,

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 6972.30 एकड़ (लगभग), या 2821.65 हेक्टर (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 6972.30 एकड़ (लगभग) या 2821.65 हेक्टर (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं० एम०ई०सी०एल०/बी०ए०स०पी०/जी०एम०(पी०एल०जी०)/भूमि/173 ता० 4 सितम्बर, 1996 वाले रेखांक का निरीक्षण कलेक्टर विलासपुर (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, वाउर्सन हाउस स्ट्रीट, कलकत्ता-700001 के कार्यालय में या माउथ इस्टर्न कोलफील्ड्स लि० (राजस्व अनुभाग) सीपत रोड, विलासपुर-495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

अनुसूची

विजय खंड

संबुलगाँव कोयला क्षेत्र

जिला विलासपुर (मध्य प्रदेश)

चिरीमरी क्षेत्र

खनन अधिकार

(क) खन भूमि

क्रम सं०	बन कम्पार्टमेंट सं०	रेंज	प्रभाग	क्षेत्र हेक्टर में	टिप्पणियाँ
1	2	3	4	5	6
1. 190		पसान	विलासपुर	3.238	भाग
2. 192		पसान	विलासपुर	191.014	भाग
3. 193		पसान	विलासपुर	340.587	भाग
4. 194		पसान	विलासपुर	428.876	संपूर्ण

1	2	3	4	5	6
5. 198		पसान	बिलासपुर	196.194	भाग
6. 199		पसान	बिलासपुर	306.269	भाग
7. 200		पसान	बिलासपुर	354.430	संपूर्ण
8. 204		पसान	बिलासपुर	164.466	भाग
9. 205		पसान	बिलासपुर	371.020	भाग
कुल				2356.094	हेक्टर (लगभग)

(ख) राजस्व भूमि

क्रम सं०	ग्राम का नाम	पटवारी हल्का सं०	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	रानीअटारी	7	कटघोरा	बिलासपुर	45.973	संपूर्ण
2.	बिजाडंड	7	कटघोरा	बिलासपुर	93.241	संपूर्ण
3.	पुटीपसना	7	कटघोरा	बिलासपुर	91.298	भाग
4.	तनेरा	7	कटघोरा	बिलासपुर	235.044	भाग
कुल					465.556	हेक्टर (लगभग)
कुल योग					2821.650	हेक्टर (लगभग)
					या	
					6972.30	एकड़ (लगभग)

अर्जित की गई वन कम्पार्टमेंट सं०

190 (भाग), 102 (भाग), 193 (भाग), 194, 198 (भाग), 199 (भाग), 200, 204 (भाग), 205 (भाग)

1. ग्राम रानी अटारी (संपूर्ण) में अर्जित किए गए प्लॉट सं०

1/1, 1/2, 2, 3/1, 3/2, 4 से 14, 15/1, 15/2, 16 ।

2. ग्राम बिजाडंड (संपूर्ण) में अर्जित किए गए प्लॉट सं०

1/1, 1/2, 2, 3, 4, 5/1, 5/2, 5/3, 5/4, 5/5, 5/6, 5/7, 5/8, 6, 7, 8/1, 8/4, 8/5, 8/2, 8/3, 9 से 12, 13/1, 13/2, 13/3, 14 से 19, 20/1, 20/2, 21, 22, 23, 24/1, 24/2, 25, 26, 27/1, 27/2, 28 से 32, 33, 34, 35, 36/1, 36/2, 36/3, 36/4, 37 से 39, 40/1, 40/2, 41/1, 52/1, 42 से 51, 53 से 57, 58/1, 59 से 61, 64, 71, 134/1 ।

3. ग्राम पुटीपसना (भाग) में अर्जित किए गए प्लॉट सं०

166/5, 166/6, 168, 169, 171 से 177, 214, 254, 256, 357/2, 316/2, 316/3, 316/4, 360, 382, 306/1, 311, 312/1, 312/2, 403/1 ।

4. ग्राम तनेरा (भाग) में अर्जित किए गए प्लॉट सं०

27, 28, 194 (भाग), 195 (भाग), 199/1, 199/2, (भाग), 199/3, 199/4, 199/5 (भाग), 199/6, 199/7, 199/8, 199/9, 199/10, 199/11, 199/12, 199/13, 199/14, 199/15, 199/16, 200 (भाग), 201 (भाग), 202/1 (भाग), 202/2, 203/3, 202/4, (भाग), 203 से 208, 209/1, 209/2, 210/1, 210/2, 210/3, 210/4, 211 से 220, 221/1, 221/2, 221/3, 221/4, 221/5, 222 से 245, 246/1, 246/2, 247, 248/1 (भाग), 248/2 (भाग), 249 (भाग), 252 (भाग), 253 (भाग), 254/1 (भाग), 255 से 259, 260 (भाग), 261, 262, 263/1, 263/2, 263/3, 263/4, 263/5, 263/6, 264, 265, 266 (भाग), 283 (भाग), 353/1 (भाग), 354 (भाग), 355, 356, 357 (भाग), 358 (भाग), 360/1 (भाग), 482/1 (भाग), 483 (भाग), 484/2 (भाग), 488/1 (भाग), 488/5 (भाग), 490, 491 (भाग), 492 से 494, 495/1 (भाग), 497 (भाग), 498, 499 (भाग), 500 (भाग),

502 (भाग), 508 (भाग), 509 (भाग), 510 (भाग), 511 (भाग), 512, 513 (भाग), 514 से 517, 518/1, 518/2, 519, 520, 521/1 (भाग), 521/2, 521/3, 521/4, 521/5, 523 (भाग), 525, 539 (भाग) ।

सीमा वर्णन

क-ख : रेखा वन कम्पार्टमेंट संख्यांक 195-198 की सम्मिलित सीमा पर बिन्दु "क" से आरंभ होती है और वन कम्पार्टमेंट संख्यांक 198, 199 से होकर जाती है फिर ग्राम तनेरा में प्रवेश करती है और प्लॉट सं० 521/1, 523, 521/1, 194, 195, 199/5, 192/2, 200, 201, 202/1, 202/2, 283, 266, 354, 353/1, 360/1, 353/1 से होकर जाती है और बिन्दु "ख" पर मिलती है ।

ख-ग : रेखा प्लॉट सं० 353/1, 360/1, 358, 357, 260, 252, 253, 254/1, 248/2, 249, 248/1, 508, 509, 510, 511, 513, 502, 513, 500, 499, 497, 495/1, 484/1, 483, 491, 484/2, 491, 488/5, 488/1, 491, 539, 491 से होकर ग्राम तनेरा में जाती है फिर वन कम्पार्टमेंट सं० 205 और 204 से होते हुए बिन्दु "ग" पर मिलती है ।

ग-ग-1-ग-2-घ : रेखा वन कम्पार्टमेंट सं० 204 से होकर जाती है और वन कम्पार्टमेंट सं० 204, 205, 200 की दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु "घ" पर मिलती है ।

घ-ङ-ङ-1- : रेखा ग्राम पुटीपखना से होकर जाती है और बिन्दु ङ 3 पर मिलती है ।

ङ-2-ङ-3

ङ-च : रेखा ग्राम पुटीपखना से होकर जाती है फिर वन कम्पार्टमेंट सं० 193, 192 से होकर जाती है और बिन्दु "च" पर मिलती है ।

च-छ : रेखा वन कम्पार्टमेंट सं० 192, 190 से होकर जाती है और बिन्दु "छ" पर मिलती है ।

छ-ज : रेखा वन कम्पार्टमेंट सं० 190, 192 की पूर्वी सीमा के साथ-साथ जाती है और बिन्दु "ज" पर मिलती है

ज-ज-1-ज-2 : रेखा वन कम्पार्टमेंट सं० 194 की उत्तरी सीमा के साथ-साथ जाती है और बिन्दु "झ" पर मिलती है ।

ज-3-झ :

झ-क : रेखा प्लॉट सं० 195-198 की सम्मिलित सीमा के साथ-साथ अंशतः जाती है और प्रारंभिक बिन्दु "क" पर मिलती है ।

[सं० 43015/2/95-एल०एस०डब्ल्यू०/सी०ए०]

ए० वैनर्जी, निदेशक

New Delhi, the 19th March, 1998

S.O. 677.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1403 dated 24th April, 1996 issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in Part II, Section 3, Sub-Section (ii) of the Gazette of India, dated 11th May, 1996, the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away the minerals in the lands measuring 6972.30 acres (approximately) or 2821.650 hectares (approximately) in the locality specified in the Schedule appended to that notification.

And whereas the competent authority, in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid and after consulting the Government of Madhya Pradesh, is satisfied that the rights to mine, quarry, bore, dig and search for, win, work and carry away the minerals in the lands measuring 6972.30 acres (approximately) or 2821.650 hectares (approximately) described in the Schedule appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the rights to mine, quarry, bore, dig and search for, win work and carry away the minerals in the lands measuring 6972.30 acres (approximately) or 2821.650 hectares (approximately) described in the said schedule, are hereby acquired.

The plan bearing No. SECL/BSP/GM(PLG)/Land/173 dated 4th September, 1996 of the area covered by this notification may be inspected in the Office of the Collector, Bilaspur (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta-700 001 or in the Office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495 006 (Madhya Pradesh).

SCHEDULE
VIJAY BLOCK
SENDURGARH COALFIELD
DISTRICT BILASPUR (MADHYA PRADESH)
CHIRIMIRI AREA

MINING RIGHTS

(A) FOREST LAND

Serial Number	Forest Compartment number	Range	Division	Area in hectares	Remarks
1.	190	Pasan	Bilaspur	3.238	Part
2.	192	Pasan	Bilaspur	191.014	Part
3.	193	Pasan	Bilaspur	340.587	Part
4.	194	Pasan	Bilaspur	428.876	Full
5.	198	Pasan	Bilaspur	196.194	Part
6.	199	Pasan	Bilaspur	306.269	Part
7.	200	Pasan	Bilaspur	354.430	Full
8.	204	Pasan	Bilaspur	164.466	Part
9.	205	Pasan	Bilaspur	371.020	Part

TOTAL : 2356.094 Hectares (approximately)

(B) REVENUE LAND

Serial Number	Name of Village	Patwari Halka Number	Tahsil	District	Area in hectares	Remarks
1.	Rani Atari	7	Katghora	Bilaspur	45.973	Full
2.	Bijadand	7	Katghora	Bilaspur	93.241	Full
3.	Putipakhana	7	Katghora	Bilaspur	91.298	Part
4.	Tanera	7	Katghora	Bilaspur	235.044	Part

TOTAL : 465.556 Hectares (approximately)

GRAND TOTAL : 2821.650 hectares (approximately) OR 6972.30 acres (approximately)

Forest Compartment Numbers acquired :

190 (Part), 192 (Part), 193 (Part), 194, 198 (Part), 199 (Part), 200, 204 (Part), 205 (Part).

1. Plot numbers acquired in village Raniatari (Full) :

1/1, 1/2, 2, 3/1, 3/2, 4 to 14, 15/1, 15/2, 16.

2. Plot numbers acquired in village Bijadand (Full) :

1/1, 1/2, 2, 3, 4, 5/1 5/2, 5/3, 5/4, 5/5, 5/6, 5/7, 5/8, 6, 7, 8/1, 8/4, 8/5, 8/2, 8/3, 9 to 12, 13/1, 13/2, 13/3, 14 to 19, 20/1, 20/2, 21, 22, 23, 24/1, 24/2, 25, 26, 27/1, 27/2, 28 to 32, 33, 34, 35, 36/1, 36/2, 36/3, 36 4, 37 to 39, 40/1, 40/2, 41/1, 52/1, 41/2, 52/2, 42 to 51, 53 to 57, 58/1, 58/2, 59 to 61, 64, 71, 134/1.

3. Plot numbers acquired in village Putipakhana (Part) :

166/5, 166/6, 168, 169, 171 to 177, 214, 254, 256, 357/2, 316/2, 316/3, 316/4, 350, 332, 305/1, 311, 312/1, 312/2, 403/1.

4. Plot numbers acquired in village Tanora (Part) :

27, 28, 194 (Part), 195 (Part), 199/1, 199/2 (Part), 199/3, 199/4, 199/5 (Part), 199/6, 199/7, 199/8, 199/9, 199/10, 199/11, 199/12, 199/13, 199/14, 199/15, 199/16, 200 (Part), 201 (Part), 202/1 (Part), 202/2, 202/3, 202/4 (Part), 203 to 208, 209/1, 209/2, 210/1, 210/2, 210/3, 210/4, 211 to 220, 221/1, 221/2, 221/3, 221/4, 221/5, 222 to 245, 246/1, 246/2, 247, 248/1 (Part), 248/2 (Part), 249 (Part), 252 (Part), 253 (Part), 254/1 (Part), 255 to 259, 260 (Part), 261, 262, 263, 263/2, 263/3, 263/4, 263/5, 263/6, 264, 265, 266 (Part), 283 (Part), 353/1 (Part), 354 (Part), 356, 357 (Part), 358 (Part), 360/1 (Part), 482/1 (Part), 483 (Part), 484/2 (Part), 488/1 (Part), 488/5 (Part), 490, 491 (Part), 492 to 494, 495/1 (Part), 497 (Part), 498, 499 (Part), 500 (Part), 502 (Part), 508 (Part), 509 (Part), 510 (Part), 511 (Part), 512, 513 (Part), 514 to 517, 518/1, 518/2, 519, 520, 521/1 (Part), 521/2, 521/3, 521/4, 521/5, 523 (Part), 525, 539 (Part).

Boundary Description :

A — B	Line starts from point 'A' on the common boundary of Forest compartment number 195—198 and passes through Forest Compartment number 198, 199, then enter in village Tanera and passes through plot numbers 521/1, 523, 521/1, 194, 195, 199/5, 199/2, 200, 201, 202/1, 202/4, 283, 266, 354, 353/1, 360/1, 353/1 and meets at point 'B'.
B — C	Line passes in village Tanera through plot numbers 353/1, 360/1, 358, 357, 260, 252, 253, 254/1, 248/2, 249, 248/1, 508, 509, 510, 511, 513, 502, 513, 500, 499, 497, 495/1, 482/1, 483, 491, 484/2, 491, 488/5, 488/1, 491, 539, 491 then through forest compartment number 205 and 204 and meets at point 'C'.
C — C1 — C2 — D	Line passes through forest compartment number 204 and passes along the southern boundary of forest compartment number 204, 205, 200 and meets at point 'D'.
D — E — E1 — E2 — E3	Line passes through village Putipakhana and meets at point 'E3'.
E3 — F	Line passes through village Putipakhana then through Forest compartment number 193, 192 and meets at point 'F'.
F — G	Line passes through forest compartment number 192, 190 and meeting at point 'G'.
G — H	Line passes along the Eastern boundary of forest compartment number 190, 192 and meets at point 'H'.
H — H1 — H2 — H3 — I	Line passes along the Northern boundary of forest compartment number 194 and meets at point 'I'.
I — A	Line passes partly along the common boundary of plot numbers 195—198 and meets at the starting point 'A'.

[No. 43015/2/95-LSW/CA]

A. BANERJI, Director

नई दिल्ली, 19 मार्च, 1998

का.आ. 678.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (i) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना स. का.आ. 2732, तारीख 9 सितम्बर, 1996, जो भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 28 सितम्बर, 1996 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में, जिसका माप 1068.70 हेक्टर (लगभग) या 2640.75 एकड़ (लगभग) है, खनिजों के खनन, खदान बोर करने निष्कासन के लिये उनकी खूदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इसमें सलग्न अनुसूची में वर्णित 1068.70 हैक्टर (लगभग) या 2640.75 एकड़ (लगभग) मापवाली भूमि में खनिजों के खनन, खदान, बोर करने, निष्कासन के लिये उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किये जाने चाहिये।

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इसमें सलग्न अनुसूची में वर्णित 1068.70 हैक्टर (लगभग) या 2640.75 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान और बोर करने निष्कासन के लिये उनकी खुदाई करने, तलाश करने, उन्हें प्राप्त करने उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किये जाते हैं।

इस अधिसूचना के अधीन अपने आने वाले क्षेत्र के सं. एम ई सी एल/वी एस पी/जी एम (पी एलजी)/भूमि/182 वाले रेखांक का निरीक्षण कलक्टर, सरगुजा, (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1 काउन्सिल हाउस, स्ट्रीट, कलकत्ता के कार्यालय में, या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग) सीपत रोड, बिलासपुर-495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

अनुसूची

सोनहट ब्लॉक "घ"

सोनहट कोलफील्ड्स

बैकुंठ क्षेत्र

जिला सरगुजा मध्य प्रदेश

खनन अधिकार

राजस्व भूमि

क्रम सं.	ग्राम का नाम	पटवारी हल्का सं.	तहसील	जिला	क्षेत्र हैक्टर में	टिप्पणियां
1.	कटगोडी	8	बैकुंठपुर	सरगुजा	306.62	भाग
2.	कैराखरिया	8	बैकुंठपुर	सरगुजा	166.85	संपूर्ण
3.	पुसला	8	बैकुंठपुर	सरगुजा	877.72	भाग
4.	कुसमहा	8	बैकुंठपुर	सरगुजा	224.26	भाग
5.	दुधानिया खुर्द	8	बैकुंठपुर	सरगुजा	188.25	भाग

कुल

963.70 हैक्टर

वन भूमि

क्रम सं.	वन का नाम	कम्पाटमेंट सं.	रेज	प्रभाग	क्षेत्र हैक्टर में	टिप्पणियां
1.	दामुज (वन संरक्षित)	पी-377	बैकुंठपुर	कौरिया	105.00	भाग

कुल

105.00 हैक्टर

कुल योग

1068.70 हैक्टर (लगभग)

या

2648.75 एकड़ (लगभग)

1. ग्राम कटगोडी (भाग) में अर्जित किये गये प्लॉट सं.

1 से 279, 280(भाग), 281(भाग), 282 से 299, 300(भाग) 308 (भाग), 309(भाग), 315(भाग), 316, 317 (भाग), 318(भाग), 319(भाग), 320 (भाग), 321(भाग), 323(भाग), 326(भाग), 327 से 354, 355

(भाग), 356, 357(भाग), 358(भाग), 359(भाग), 363(भाग), 364(भाग), 366(भाग), 607(भाग), 610(भाग), 613(भाग), 614 से 786, 787(भाग), 788(भाग), 791(भाग), 792(भाग), 793(भाग), 794(भाग), 795(भाग), 796 से 854, 855(भाग), 856(भाग), 857(भाग), 858(भाग), 859(भाग), 860(भाग), 861(भाग), 899(भाग), 1029 (भाग), 1033(भाग), 1034 से 1054, 1056(भाग), 1057(भाग), 1058 से 1068, 1069(भाग), 1070(भाग), 1071(भाग), 1129(भाग), 1148(भाग), 1149(भाग), 1150 (भाग), 1151(भाग), 1152, 1153(भाग), 1154 से 1162, 1163(भाग), 1164 से 1168, 1169(भाग), 1170, 1171(भाग), 1172 से 1197, 1198(भाग), 1199 से 1208, 1209(भाग), 1222(भाग), 1223(भाग), 1224(भाग), 1227(भाग), 1230(भाग), 1231 से 1240, 1241 (भाग), 1242, 1243(भाग), 1303(भाग), 1312(भाग), 1313(भाग), 1314, 1315(भाग), 12/1573, 112/1574, 823/1577, 725/1580, 860/1581, 1169, 1585, 204/1591, 184/1598.

2. ग्राम केराझरिया (संपूर्ण) में अर्जित किये गये प्लॉट सं.

1 से 231, 166/232

3. ग्राम पुसला (भाग) में अर्जित किये गये प्लॉट सं.

634(भाग), 653 से 657, 658(भाग), 659(भाग), 660, 661(भाग), 667 (भाग), 668(भाग), 670 (भाग), 671, 672/1 (भाग), 672/2(भाग), 674(भाग), 678(भाग), 681(भाग), 682(भाग), 712(भाग), 713(भाग), 714(भाग), 715 से 734, 735(भाग), 736(भाग), 737 से 860.

4. ग्राम कुसमहा (भाग) में अर्जित किये गये प्लॉट सं.

32(भाग), 36(भाग), 76(भाग), 89(भाग), 90, 91, 92(भाग), 93(भाग), 94 से 99, 100(भाग), 101 (भाग), 110(भाग), 111, 112(भाग), 113, 114(भाग), 116, (भाग), 117, 118(भाग), 119(भाग), 121(भाग)/122 (भाग), 123(भाग), 124, 125, 126(भाग), 127(भाग), 128(भाग), 129 से 357, 288/358/284/359, 174/360, 202/361.

5. ग्राम दुधानिया खुर्द (भाग) में अर्जित किये गये प्लॉट सं.

78(भाग), 79, 80 से 83, 84(भाग), 85 से 166, 167(भाग), 168(भाग), 183(भाग), 190(भाग), 191 (भाग), 192, 193(भाग), 194 से 351.

6. दामुज संरक्षित वन (भाग) में अर्जित किये गये कम्पार्टमेंट सं.

पी-377(भाग)

सीमा वर्णन :

- क—ख रेखा सरदी-कब्गोड़ी आरक्षित वन और कटगोड़ी ग्राम की सम्मिलित सीमा पर बिन्दु “क” से आरम्भ होती है तथा कटगोड़ी, केराझरिया, दुधानिया खुर्द ग्रामों की दक्षिणी सीमा के साथ-साथ जाती है तथा बिन्दु “ख” पर मिलती है।
- ख—ग रेखा दुधानिया खुर्द-लाब्जी ग्रामों की सम्मिलित सीमाओं के साथ-साथ जाती है, फिर ग्राम दुधानिया खुर्द से होकर प्लॉट सं. 84.78 से होकर जाती है और बिन्दु “ग” पर मिलती है।
- ग—घ रेखा ग्राम दुधानिया खुर्द में प्लॉट सं. 79 की पश्चिमी सीमा के साथ-साथ जाती है और बिन्दु “घ” पर मिलती है।
- घ—ङ रेखा दामुज संरक्षित वन कम्पार्टमेंट सं. पी-377 से होकर जाती है फिर ग्राम दुधानिया खुर्द के प्लॉट सं. 168, 167, 183 से होकर फिर दामुज संरक्षित वन के प्लॉट सं. 183, 190, 191, 193 से होकर पुनः दामुज संरक्षित वन कम्पार्टमेंट सं. पी.-377 से होकर ग्राम पुसला में प्रवेश करती है तथा प्लॉट सं. 736, 735, 714, 712, 713, 712, 682 से होकर जाती है और बिन्दु “ङ” पर मिलती है।
- ङ—ड-1 रेखा ग्राम पुसला के प्लॉट सं. 634, 681, 678, 674, 672/1, 672/2, 670, 668, 667, 661, 659, 658 से होकर जाती है और ग्राम पुसला और कुसमहा की सम्मिलित सीमाओं पर बिन्दु “ड-1” पर मिलती है।
- ड-1—च रेखा ग्राम कुसमहा के प्लॉट सं. 89, 92, 93, 101, 100, 110, 112, 76, 114, 116, 119, 118, 121, 123, 122, 36, 126, 127, 128, 32 से होकर जाती है और बिन्दु “च” पर मिलती है।

ब-छ	रेखा कुसमहा, कटगोडी ग्रामों की उत्तरी सीमा के साथ साथ जाती है और बिन्दु "छ" पर मिलती है।
छ-अ	रेखा प्लॉट सं. 861, 860, 859, 858, 857, 856, 855, 899, 795, 794, 793, 792, 791, 788, 787, 1198, 1029, 1633, 1069, 1070, 1071, 1057, 1056, 1171, 1153, 1151, 1150, 1149, 1148, 1163, 1129, 1315 से होकर ग्राम कटगोडी में प्रवेश करती है और बिन्दु "अ" पर मिलती है।
अ-क	रेखा प्लॉट सं. 1315, 1313, 1312, 1169, 1303, 1243, 1227, 1241, 1238, 1224, 1223, 1222, 1198, 1209, 613, 610, 607, 359, 358, 357, 355, 357, 363, 364 326, 320, 323, 321, 319, 318, 317, 309, 306, 300, 281, 280, 366 से होकर ग्राम कटगोडी में प्रवेश करती है और आरंभिक बिन्दु "क" पर मिलती है।

[सं. 43015/13/95-एल.एस.डब्ल्यू./सिंग.]

ए. बैनर्जी, निदेशक

New Delhi, the 19th March, 1998

S.O. 678.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 2732, dated the 9th September, 1996, issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), and published in Part-II, Section 3, Sub-section (ii) of the Gazette of India, dated the 28th September, 1996, the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win work and carry away minerals in the lands measuring 1068.70 hectares (approximately) or 2640.75 acres (approximately) in the locality specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas the Central Government after considering the aforesaid report and after consulting the Government of Madhya Pradesh, is satisfied that the rights to mine, quarry, bore, dig and search for, win work and carry away minerals in the lands measuring 1068.70 hectares (approximately) or 2640.75 acres (approximately) described in the Schedule appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the rights to mine, quarry, bore, dig and search for, win work and carry away minerals in the lands measuring 1068.70 hectares (approximately) or 2640.75 acres (approximately) described in the Schedule appended hereto are hereby acquired.

The plan bearing No. SECL/BSP/GM/PLG/Land/182, dated the 17th March, 1997 of the area covered by this notification may be inspected in the Office of the Collector, Surguja (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the South Eastern Coalfields Limited (Revenue Department) Seepat Road, Bilaspur-495 006 (Madhya Pradesh).

SCHEDULE

SONHAT BLOCK 'D'

SONHAT COALFIELD

BAIKUNTHPUR AREA

DISTRICT SURGUJA (MADHYA PRADESH)

MINING RIGHTS

REVENUE LAND

Serial Number	Village	Patwari Halka Number	Tehsil	District	Area in hectares	Remarks
1.	Katghori	8	Baikunthpur	Surguja	306.62	Part
2.	Kerajharia	8	Baikunthpur	Surguja	166.85	Full
3.	Pusla	8	Baikunthpur	Surguja	077.72	Part
4.	Kusmha	8	Baikunthpur	Surguja	224.26	Part
5.	Dudhania Khurd	8	Baikunthpur	Surguja	188.25	Part

TOTAL :

963.70 hectares

FOREST LAND

Serial Number	Name of Forest	Compartment Number	Range	Division	Area in hectares	Remarks
1.	Damuj (Protected Forest)	P-377	Baikunthpur	Korea	105.00	Part
TOTAL :					105.00 hectares	
GRAND TOTAL :		1068.70 hectares (approximately) OR 2640.75 acres (approximately)				

1. Plot numbers acquired in village Katghori (Part) :

1 to 279, 280 (Part), 281 (Part), 282 to 299, 300 (Part), 308 (Part), 309 (Part), 315 (Part), 316, 317 (Part), 318 (Part), 319 (Part), 320 (Part), 321 (Part), 323 (Part), 326 (Part), 327 to 354, 355 (Part), 356, 357 (Part), 358 (Part), 359 (Part), 363 (Part), 364 (Part), 366 (Part), 607 (Part), 610 (Part), 613 (Part), 614 to 786, 787 (Part), 788 (Part), 791 (Part), 792 (Part), 793 (Part), 794 (Part), 795 (Part), 796 to 854, 855 (Part), 856 (Part), 857 (Part), 858 (Part), 859 (Part), 860 (Part), 861 (Part), 899 (Part), 1029 (Part), 1033 (Part), 1034 to 1054, 1056 (Part), 1057 (Part), 1058 to 1068, 1069 (Part), 1070 (Part), 1071 (Part), 1129 (Part), 1148 (Part), 1149 (Part), 1150 (Part), 1151 (Part), 1152, 1153 (Part), 1154 to 1162, 1163 (Part), 1164 to 1168, 1169 (Part), 1170, 1171 (Part), 1172 to 1197, 1198 (Part), 1199 to 1208, 1209 (Part), 1222 (Part), 1223 (Part), 1224 (Part), 1227 (Part), 1230 (Part), 1231 to 1240, 1241 (Part), 1242, 1243 (Part), 1303 (Part), 1312 (Part), 1313 (Part), 1314, 1315 (Part), 12/1573, 112/1574, 823/1577, 725/1580, 800/1581, 1169/1585, 204/1591, 184/1588.

2. Plot numbers acquired in village Kerajharia (Full) :

1 to 231, 166/232.

3. Plot numbers acquired in village Pusla (Part) :

634 (Part), 653 to 657, 658 (Part), 659 (Part), 660, 661 (Part), 667 (Part), 668 (Part), 670 (Part), 671, 672/1 (Part), 672/2 (Part), 674 (Part), 678 (Part), 681 (Part), 682 (Part), 712 (Part), 713 (Part), 714 (Part), 715 to 734, 735 (Part), 736 (Part), 737 to 860.

4. Plot numbers acquired in village Kusmha (Part) :

32 (Part), 36 (Part), 76 (Part), 89 (Part), 90, 91, 92 (Part), 93 (Part), 94 to 99, 100 (Part), 101 (Part), 110 (Part), 111, 112 (Part), 113, 114 (Part), 116 (Part), 117, 118 (Part), 119 (Part), 121 (Part), 122 (Part), 123 (Part), 124, 125, 126 (Part), 127 (Part), 128 (Part), 129 to 357, 288/358, 284/359, 174/360, 202/361.

5. Plot numbers acquired in village Dudhania Khurd (Part) :

78 (Part), 79, 80 to 83, 84 (Part), 85 to 166, 167 (Part), 168 (Part), 183 (Part), 190 (Part), 191 (Part), 192, 193 (Part), 194 to 351.

6. Compartment number acquired in Damuj protected Forest (Part) :
P-377 (Part).

BOUNDARY DESCRIPTION :

- A — B Line starts from point 'A' on the Common boundary of Sardi-Katghori Reserved forest and Katghori village then passes along the Southern boundary of villages Katghori, Kerajharia, Dhudhania Khurd and meets at point 'B'.
- B — C Line passes along the common boundaries of villages Dudhania Khurd-Labji, then through village Dudhania Khurd through plot numbers 84, 78 and meets at point 'C'.
- C — C1 — D Line passes in village Dudhania Khurd along the Western bounday of plot number 79 and meets at point 'D'.

- D—E Line passes through Damuj protected forest compartment number P-377 then through village Dhudhania Khurd through plot numbers 168, 167, 183, then Damuj protected forest, through plot numbers 183, 190, 191, 193 again through Damuj protected forest compartment number P-377 and enter in village Pusla and passes through plot numbers 736, 735, 714, 712, 713, 712, 682 and meets at point 'E'.
- EI—EI Line passes through village Pusla through plot numbers 634, 681, 678, 674, 672/1, 672/2, 670, 668, 667, 661, 659, 658 and meets on the common boundaries of the villages Pusla and Kusmha at point 'EI'.
- EI—F Line passes through village Kusmha through plot numbers, 89, 92, 93, 101, 100, 110, 112, 76, 114, 116, 119, 118, 121, 123, 122, 36, 126, 127, 128, 52 and meets at point 'F'.
- F—G Line passes along the Northern boundary of village Kusmha, Katghori and meets at point 'G'.
- G—H Line passes in village Katghori through plot numbers 861, 860, 859, 858, 857, 856, 855, 899, 795, 794, 793, 792, 791, 788, 787, 1198, 1029, 1033, 1069, 1070, 1071, 1057, 1056, 1171, 1153, 1151, 1150, 1149, 1148, 1163, 1129, 1315 and meet at point 'H'.
- H—A Line passes in village Katghori through plot numbers 1315, 1313, 1312, 1169, 1303, 1243, 1227, 1241, 1230, 1224, 1223, 1222, 1198, 1209, 613, 610, 607, 359, 358, 357, 355, 357, 363, 364, 326, 320, 323, 321, 319, 318, 317, 315, 309, 308, 300, 281, 280 366 and meets at the starting point 'A'.

[No. 43015/13/95—LSW/CA]

A. BANERJI, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 18 मार्च, 1998.,

का.आ. 679:—श्री कि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि काण्डला, गुजरात में सेंट्रल तेल प्रदेश तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए ।

और श्री कि यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतदपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः, अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का यंत्रणा आण्य एतद्वारा घोषित करती है ।

अर्थात् कि उक्त भूमि में हिनबद्ध कोई व्यक्ति उक्त भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस अथॉरिटी आफ इंडिया लिमिटेड द्वितीय तल, दर्पण बिल्डिंग, आर. सी. दत्त रोड, बड़ौदा को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मृतवाई व्यक्तिगत हो या किसी विधि व्यवस्था की मार्फत ।

रीस अधारिटी ऑफ इण्डिया लिमिटेड

बडौदा

प्रमुखी

कादला में लोनी तक एल.पी. जी. गेस पाइपलाइन

(पाटन में ग्राम रोज अनुभाग)

राज्य : गुजरात

तालुका : पाटन

जिला : महेसाणा

गाँव	क्रम सं. ब्लॉक न.	एरिया		
		हेक्टेयर	घारे	सेटीघारे
1	2	3	4	5
कासोगी	116	0	14	70
	115	0	18	30
	काटे ट्रैक	0	00	08
	112	0	22	80
	111	0	28	70
	110	0	31	49
	109	0	24	94
	99	0	09	70
	कुल	1	51	44
नापता	460/1	0	45	30
	461	0	11	07
	462	0	21	92
	463	0	14	74
	464	0	14	48
	466	0	13	68
	478	0	35	14
	काटे ट्रैक	0	03	50
	529	0	00	71
	कुल	1	60	54
रखाव	121	0	39	36
	120	0	45	94
	120/1	0	69	69
	96	0	22	79
	काटे ट्रैक	0	02	63
	99	0	11	57
	94	0	12	73
	93	0	15	00
	101	0	40	55
	104	0	00	41
	88	0	23	61
	84	0	22	33
	काटे ट्रैक	0	01	23
	60	0	13	76

1	2	3	4	5
रख्राव—जारी	58	0	14	53
	61	0	19	34
	63	0	17	51
	64	0	19	96
	कार्टे ट्रैक	0	01	81
	65	0	06	01
	75	0	14	20
	74	0	22	44
	73	0	08	14
	103	0	19	20
	62	0	00	26
	कुल	4	65	90
मोरपा	248	0	06	82
	स्ट्रीम	0	04	11
	249	0	08	80
	253	0	18	70
	251	0	33	53
	255	0	35	97
	256	0	27	20
	266	0	08	01
	265	0	20	30
	267	0	00	29
	279	0	37	38
	283	0	08	83
	कार्टे ट्रैक	0	01	88
	280/1	0	16	20
	282	0	22	32
	284	0	27	66
	286	0	42	15
	मोरपा कैनाल 287	0	02	81
	287	0	14	48
	299	0	06	29
	297	0	32	18
	296	0	41	84
	कुल	4	17	75
प्रदला	कार्टे ट्रैक	0	02	15
	54	0	33	91
	56	0	06	41
	53	0	19	07
	59	0	19	49
	49	0	27	63
	कार्टे ट्रैक	0	01	56
	41	0	08	49
	कार्टे ट्रैक	0	01	51

1	2	3	4	5
एदला-जारी	42	0	40	05
	30	0	08	88
	28	0	33	86
	26	0	00	24
	25	0	30	08
	कार्ट ट्रैक	0	01	97
	13	0	22	01
	14/1	0	32	32
	14	0	11	51
	एस्फाल्टेड रोड	0	02	25
	295	0	54	30
	294	0	12	57
	281	0	19	63
	280	0	02	73
	279	0	11	45
	282	0	02	84
	267	0	21	00
	266	0	20	57
	265	0	43	93
	264	0	00	50
	263	0	12	17
	कुल	5	05	08
बागडोड	82/3	0	15	26
	82/1	0	35	68
	87	0	11	39
	84/3	0	28	00
	85	0	31	54
	84/2	0	37	43
	84/1	0	29	60
	कार्ट ट्रैक	0	03	14
	209	0	14	94
	210	0	24	59
	211	0	17	43
	कार्ट ट्रैक	0	00	94
	212	0	50	04
	229/2	0	28	93
	229	0	31	11
	228	0	00	23
	238	0	61	84
	240	0	06	37
	246	0	38	61
	253	0	02	19
	245	0	30	38
	254	0	43	07
	255	0	18	42
	कुल	8	61	13

1	2	3	4	5
लक्ष्मीपुरा	कार्टे ट्रेक	0	01	00
	41	0	43	63
	40	0	03	64
	98	0	10	65
	99	0	20	88
	एस. हाईवे नं. -7	0	05	82
	101	0	30	06
	100	0	31	25
	कुल	1	47	83
जंगराल	301/2	0	01	10
	301/1	0	24	05
	301	0	21	43
	302	0	38	55
	304	0	32	51
	314	0	28	58
	234	0	16	27
	275	0	17	96
	274	0	46	64
	271	0	25	77
	272	0	23	53
	कार्टे ट्रेक	0	04	89
	266	0	08	26
	265	0	28	08
	259	0	12	87
	256	0	17	53
	254	0	31	24
	कार्टे ट्रेक	0	02	55
	218	0	15	49
	217	0	20	69
	212	0	13	28
	216	0	10	56
	215	0	34	37
	198	0	54	46
	226	0	06	13
	252	0	12	92
	251	0	00	01
	कुल	5	49	72
बासनी	24	0	22	74
	47	0	61	70
	48	0	24	87
	85	0	51	12
	84	0	06	06
	92	0	60	69
	93	0	44	62
	94	0	20	57
	97	0	36	81
	98	0	28	26
	कुल	3	57	44

(1)	(2)	(3)	(4)	(5)
रबियाना	113/1	0	28	92
	112	0	01	13
	113	0	02	36
	कार्ट ट्रैक	0	01	69
	111	0	38	06
	कार्ट ट्रैक	0	04	37
	कुल	0	76	53
खोडाना	103	0	59	50
	105	0	04	47
	109	0	07	06
	108	0	26	14
	96	0	09	34
	94	0	16	31
	85	0	27	03
	93	0	02	74
	88	0	16	93
	73	0	17	93
	74	0	17	70
	75	0	13	75
	62	0	16	88
	61	0	18	04
	हैदरपुरा एम. कैनाल	0	01	94
	58	0	27	00
	59	0	00	83
	48	0	26	50
	कार्ट ट्रैक	0	02	72
	399	04	04	06
	401	0	27	93
	402	0	01	91
	403	0	10	98
	404	0	13	00
	409	0	07	85
	408	0	39	29
	कार्ट ट्रैक	0	03	06
	462	0	26	70
	460	0	14	68
	458	0	13	99
	458	0	22	86
	470	0	21	25
	471	0	00	33
	452	0	27	42
	कार्ट ट्रैक	0	02	57
	306	0	10	90
	305	0	13	09
	304	0	33	21

(1)	(2)	(3)	(4)	(5)
श्रीजना-जारी	301	0	01	84
	278	0	58	53
	279	0	20	34
	280	0	21	89
	247	0	12	15
	246	0	04	88
कुल		7	27	52

[एल-14016/4/97-जी पी)]

आई.एस.एन. प्रसाध, उप सचिव

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, 18th March, 1998

S.O. 679.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Kandla, Gujarat to Loni, Uttar Pradesh State, pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interest in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Gas Authority of India Ltd. IIInd Floor, Darpan Bldg. R. C. Dutt Road Baroda.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

GAS AUTHORITY OF INDIA LIMITED

VADODARA

SCHEDULE

LPG Gas Pipeline from Kandla to Loni

(Patan to Abu Road Section)

State : Gujarat		Taluka : Patan		District : Mehesana	
Village		Sr. No. Block No.		Area	
				Hectare	Arc Centiare
1	2	3	4	5	
Kalogi	116	0	14	70	
	115	0	18	30	
	Cart Track	0	00	81	
	112	0	22	80	
	111	0	28	70	
	110	0	31	49	
	109	0	24	94	
	99	0	09	70	
Total			1	51	44

1	2	3	4	5
Nayta	460/1	0	45	30
	461	0	11	07
	462	0	21	92
	463	0	14	74
	464	0	14	48
	466	0	13	68
	478	0	35	14
	Cart Track	0	03	50
	529	0	00	71
	Total	1	60	54
Rakhav	121	0	39	36
	120	0	45	94
	120/1	0	69	69
	96	0	22	79
	Cart Track..	0	02	63
	99	0	11	57
	94	0	12	73
	93	0	15	00
	101	0	40	55
	104	0	00	41
	88	0	23	61
	84	0	22	33
	Cart Track	0	01	23
	60	0	13	76
	58	0	14	53
	61	0	14	34
	63	0	17	51
	64	0	19	96
	Cart Track	0	01	81
	65	0	06	01
	75	0	14	20
	74	0	22	44
	73	0	08	14
	103	0	19	20
	62	0	00	26
	Total	4	65	00
Morpa	248	0	06	82
	Stream	0	04	11
	249	0	08	80
	253	0	18	70
	251	0	33	53
	255	0	35	97
	256	0	27	20
	266	0	08	01
	265	0	20	30
	267	0	00	29
	279	0	37	38
	283	0	08	83
	Chart Track	0	01	88
	280/1	0	16	20
	282	0	22	32
	284	0	27	66

1	2	3	4	5
Morpa—Contd.	286	0	42	15
	Morpa Carnal 287	0	02	81
	287	0	14	48
	299	0	06	29
	297	0	32	18
	296	0	41	84
	Total	4	17	75
Edala	Cart Track	0	02	15
	54	0	33	91
	56	0	06	41
	53	0	19	07
	59	0	19	49
	49	0	27	63
	Cart Track	0	01	56
	41	0	08	49
	Cart Track	0	01	51
	42	0	40	05
	30	0	08	88
	28	0	33	86
	26	0	00	24
	25	0	30	08
	Cart Track	0	01	97
	13	0	22	01
	14/1	0	32	32
	14	0	11	51
	Asphalted Road	0	02	25
	295	0	54	30
	294	0	12	57
	281	0	19	63
	280	0	02	73
	279	0	11	45
	282	0	02	84
	267	0	21	00
	266	0	20	57
	265	0	43	93
	264	0	00	50
	263	0	12	17
	Total	5	05	08
Wagdod	82/3	0	15	26
	82/1	0	35	86
	87	0	11	39
	84/3	0	28	00
	85	0	31	54
	84/2	0	37	43
	84/1	0	29	60
	Cart Track	0	03	14
	209	0	14	94
	210	0	24	59
	211	0	17	43
	Cart Track	0	00	94
	212	0	50	04
	229/2	0	28	93
	229	0	31	11

1	2	3	4	5
wagdol—Contd.	228	0	00	23
	238	0	61	84
	240	0	06	37
	246	0	38	61
	253	0	02	19
	245	0	30	38
	254	0	43	07
	255	0	18	42
	Total	5	61	13
Lakshmipura	Cart Track	0	01	90
	41	0	43	63
	40	0	03	64
	98	0	10	65
	99	0	20	88
	S. Highway No.-7	0	05	82
	101	0	30	06
	100	0	31	25
	Total	1	47	83
Jagrai	301/2	0	01	10
	301/1	0	24	05
	301	0	21	43
	302	0	38	55
	304	0	32	51
	314	0	28	58
	234	0	16	27
	275	0	17	96
	274	0	46	64
	271	0	25	77
	272	0	23	53
	Cart Track	0	04	89
	266	0	08	26
	265	0	28	08
	259	0	12	87
	256	0	17	53
	254	0	31	24
	Cart Track	0	02	55
	218	0	15	49
	217	0	20	69
	212	0	13	28
	216	0	10	56
	215	0	34	37
	198	0	54	46
	226	0	06	13
	252	0	12	92
	251	0	00	01
	Total	5	49	72
Wasni	24	0	22	74
	47	0	61	70
	48	0	24	87
	85	0	51	12

1	2	3	4	5
Wasni—Contd.	84	0	06	06
	92	0	60	69
	93	0	44	62
	94	0	20	57
	97	0	36	81
	98	0	28	26
	Total	3	57	44
Raviana	131/1	0	28	92
	112	0	01	13
	113	0	02	36
	Cart Track	0	01	69
	111	0	38	06
	Cart Track	0	04	37
	Total	0	76	53
Khodana	103	0	59	50
	105	0	04	47
	109	0	07	06
	108	0	26	14
	96	0	09	34
	94	0	16	31
	85	0	27	03
	93	0	02	74
	88	0	16	93
	73	0	17	93
	74	0	17	70
	75	0	13	75
	62	0	16	88
	61	0	18	04
	Hyderpura M. Canal	0	01	94
	58	0	27	00
	59	0	00	83
	49	0	26	50
	Cart Track	0	02	72
	399	0	04	06
	401	0	27	93
	402	0	01	91
	403	0	10	98
	404	0	13	00
	409	0	07	85
	408	0	39	29
	Cart Track	0	03	06
	462	0	26	70
	460	0	14	68
	459	0	13	99
	458	0	22	86
	470	0	21	25
	471	0	00	33
	452	0	27	42
	Cart Track	0	02	57
	306	0	10	90
	305	0	13	09
	304	0	33	21

1	2	3	4	5
Khodana—Contd.	301	0	01	84
	278	0	58	53
	279	0	20	34
	280	0	21	89
	247	0	12	15
	246	0	04	88
Total		7	27	52

[No. L-14016/4/97-GP]

I.S.N. PRASAD, Dy Secy.

नई दिल्ली, 18 मार्च, 1998

क्र.आ. 680.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि काण्डला, गुजरात राज्य से लोनी, उत्तर प्रदेश तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइप लाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतद्भावद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार, उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित करती है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस अथॉरिटी आफ इंडिया लिमिटेड द्वितीय तल, वर्पण बिल्डिंग, आर. सी. दस्त रोड, बड़ोडा को इस अधिनियम की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिवृष्टतः यह भी चयन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी बिधि व्यवसायी की मार्फत।

गैस अथॉरिटी आफ इंडिया लिमिटेड

बड़ोडा

अनुसूची

कांडला से लोनी तक एल.पी.जी. गैस पाइप लाइन

(पाटन से आबू रोड अनुभाग)

राज्य : गुजरात

तालुका : पालनपुर

जिला बनासकांठा

गांव	क्रमसं. ब्लॉक नं.	एरिया		
		हेक्टेयर	घारे	सेन्टीघारे
(1)	(2)	(3)	(4)	(5)
दलवाड़ा	133	0	24	30
	128	0	10	77
	127	0	15	48
कार्ट ट्रैक		0	02	62
कार्ट ट्रैक		0	01	04
	126	0	25	26
	108	0	06	54

(1)	(2)	(3)	(4)	(5)
दलनाडा-भारी	कार्टे ट्रैक	0	02	72
	47	0	21	53
	48	0	22	24
	50	0	10	06
	49	0	12	48
	50	0	03	81
	51	0	27	84
	52	0	30	92
	कार्टे ट्रैक	0	04	92
	56	0	16	91
	कुल	2	39	44
मडाना गढ़	764	0	09	38
	765	0	29	79
	767	0	07	72
	कैनाल	0	11	39
	768	0	04	38
	735	0	06	14
	736	0	13	72
	737	0	11	40
	गांधी बाँध कैनाल	0	10	67
	699	0	20	08
	698	0	07	79
	697	0	17	89
	696	0	01	33
	695	0	37	41
	683	0	15	08
	880	0	23	71
	881	0	31	66
	882	0	15	01
	940	0	17	08
	938	0	18	61
	कार्टे ट्रैक	0	04	59
	943	0	16	66
	957	0	37	18
	कार्टे ट्रैक	0	03	02
	956	0	35	80
	952	0	37	69
	997	0	28	92
	कार्टे ट्रैक	0	03	69
	998	0	15	49
	1015	0	25	00
	1016	0	43	52
	1025	0	21	11
	8 एल. डिस्ट्रीब्यूटरी	0	07	21
	1026	0	05	61

(1)	(2)	(3)	(4)	(5)
मशानागढ़-जारी	कार्ट ट्रैक	0	0 3	21
	1044	0	04	48
	1046	0	28	42
	कार्ट ट्रैक	0	03	90
	1098	0	03	33
	कैनाल	0	06	56
	1101	0	30	97
	1100	0	01	59
	1102	0	35	74
	1110	0	30	18
	1109	0	02	67
	कार्ट ट्रैक	0	02	55
	1112	0	17	95
	729	0	02	90
	728/2	0	10	96
	728/1	0	09	05
	727	0	14	37
	725	0	22	15
	724	0	18	62
	722	0	12	58
	707	0	28	30
	708	0	37	88
गढ़	कुल	10	09	92
	770	0	02	35
	769	0	18	08
	771	0	13	35
	772	0	21	61
	773	0	15	04
	774	0	09	12
	764	0	55	96
	एस्कालेट रोड	0	03	38
	874	0	12	98
	867	0	01	45
	883	0	37	11
	876	0	10	50
	849	0	15	28
	847	0	13	69
	848	0	04	70
	845	0	16	43
	844	0	13	01
	कार्ट ट्रैक	0	07	42
	840	0	61	83
	कार्ट ट्रैक	0	02	68
	839	0	08	51
	कार्ट ट्रैक	0	04	70
	11	0	10	01

1	2	3	4	5
गढ-जारी	12	0	22	01
	45	0	16	07
	44	0	23	22
	51	0	10	76
	53	0	28	05
	54	0	35	26
	58	0	12	18
एस्फाल्टेड रोड		0	02	21
	90	0	21	99
	96	0	15	20
	95	0	14	93
	98	0	27	05
कार्ट ट्रैक		0	05	16
	904	0	09	14
	101	0	05	78
	102	0	20	01
	103	0	02	87
कार्ट ट्रैक		0	14	18
कार्ट ट्रैक		0	16	85
	207	0	06	12
	208	0	22	01
	209	0	17	01
	210	0	35	73
	203	0	19	04
	200	0	23	58
	201	0	05	88
	203	0	01	18
	214	0	02	29
	202	0	21	17
	193	0	15	09
	194	0	06	55
	191	0	21	25
	190	0	20	15
कार्ट ट्रैक		0	06	94
	222	0	18	11
लावणी नदी		0	05	75
	226	0	19	53
	225	0	11	85
	224	0	00	32
कुल		9	41	66
संवेमपुरा	179	0	23	71
	176	0	19	35
	166	0	01	65
कार्ट ट्रैक		0	00	63
	171	0	21	60
	121	0	17	07
	120	0	00	90

1	2	3	4	5
मनेप परा-जारी	119	0	14	52
	118	0	02	65
	103	0	63	64
	91	0	10	12
पुष्कालटेड रोड		0	02	50
	89	0	03	86
	88	0	01	19
	87	0	04	74
	86	0	10	99
	82	0	05	32
	81	0	09	17
	78	0	19	12
	73	0	19	05
कार्टे ट्रैक		0	02	68
स्ट्रीम		0	23	81
	72	0	00	95
	70	0	13	17
	68	0	08	82
	67	0	08	80
	66	0	03	09
	63	0	03	63
	64	0	15	88
	61	0	03	58
कार्टे ट्रैक		0	66	52
कुल		3	16	61
कुभासन	404	0	05	56
	405	0	22	80
	406	0	27	24
	407	0	09	73
	417	0	21	50
	458	0	39	75
	457	0	66	43
	421	0	66	41
कुल		1	91	47
वेदनचा	428	0	40	46
	427	0	37	70
	426	0	27	68
कार्टे ट्रैक		0	03	68
	436	0	03	86
	437	0	28	19
कार्टे ट्रैक		0	02	17
	388	0	43	37
	378	0	37	96

1	2	3	4	5
बेतनचा-जारी	305	0	05	67
	302	0	19	75
	300	0	13	23
	301	0	7	24
	298	0	16	79
	288	0	19	18
	289	0	07	08
	287	0	07	25
	279	0	24	96
	280	0	26	93
कार्ट ट्रैक		0	06	48
	247	0	10	36
	249	0	19	52
	250	0	15	44
	251	0	07	90
एस्फाल्टेड रोड		0	05	90
	6	0	28	98
	435	0	32	00
	7	0	06	41
	8	0	17	97
	15	0	17	63
	14	0	38	39
	32	0	28	52
	33	0	19	39
कुल		6	59	7
खांडला	259	0	06	62
	258	0	13	33
	257	0	09	85
	251	0	35	78
	252	0	04	32
	253	0	09	88
	250	0	09	57
	249	0	36	08
	247	0	01	43
	246	0	25	55
कार्ट ट्रैक		0	03	36
	194	0	40	36
	208	0	29	99
	214	0	29	21
	213	0	21	28
	226	0	39	17
	225	0	23	15
	224	0	25	97
	222	0	21	86
कुल		3	85	96

1	2	3	4	5
चंडोतर	413	0	02	26
	412	0	34	05
	411	0	09	05
	407	0	12	83
कार्ट ट्रैक		0	03	05
	408	0	16	40
पश्चिमी रेलवे		0	15	14
	318	0	26	40
	319	0	40	14
कार्ट ट्रैक		0	02	63
	315/2	0	04	46
	315/1	0	12	16
	314	0	06	74
	281	0	08	26
	293	0	20	69
	292	0	35	36
	291	0	30	71
	289	0	19	45
एन.एच.-14		0	03	76
	233/1	0	28	59
	232	0	04	04
	234	0	48	71
	235	0	03	13
बाजरा		0	08	26
	215	0	56	99
	187	0	58	79
कार्ट ट्रैक		0	01	19
	177/1	0	21	08
	177/2	0	20	24
	177/3	0	21	78
	184	0	13	00
	178/1	0	18	46
	180	0	03	78
	179	0	24	54
एस्फाल्टेड रोड		0	03	39
	117	0	34	13
	115	0	01	80
	114	0	08	21
	112	0	17	98
	111	0	35	02
	112	0	10	81
	96	0	36	25
कार्ट ट्रैक		0	02	77
कार्ट ट्रैक		0	10	51
	78	0	00	36

(1)	(2)	(3)	(4)	(5)
बड़ोतर-बारी	कार्ट ट्रैक	0	03	09
	79	0	38	63
	80	0	09	10
	91	0	15	96
	90	0	16	71
	85	0	20	89
	84	0	23	93
	कुल	9	71	71
पासपुडा	150	0	13	60
	151	0	27	14
	कार्ट ट्रैक	0	03	21
	154	0	40	95
	184	0	44	88
	173	0	22	49
	180	0	23	86
	29	0	07	91
	25	0	27	30
	28	0	29	71
	32	0	21	62
	30	0	23	55
	एस्फाटेड रोड	0	03	58
	68	0	07	30
	67	0	17	52
	66	0	06	39
	65	0	05	57
	64	0	02	92
	60	0	08	78
	102	0	33	95
	74	0	01	78
	75	0	30	98
	85	0	26	02
	84	0	14	37
	83	0	00	46
	82	0	23	37
	93	0	25	08
	95	0	30	67
	कुल	5	24	97
मुनवा	126	0	10	52
	कार्ट ट्रैक	0	02	78
	123	0	25	41
	124	0	12	84
	125	0	53	49
	173	0	32	09
	105	0	30	47
	कुल	0	0	0

(1)	(2)	(3)	(4)	(5)
खूनवा-जारी	104	0	25	72
	103	0	27	50
मैटलुड रोड		0	02	01
	176	0	57	39
	95	0	01	60
	94	0	42	01
	92	0	17	52
	93	0	15	06
	90	0	15	28
	89	0	09	51
	86	0	13	65
	85	0	21	00
	82	0	47	68
	79	0	00	55
कुल		4	64	09
वरवाडिया	10	0	25	28
	12	0	08	63
	6	0	17	04
	4	0	27	17
कुल		1	28	10
मलाना	204	0	13	66
	203	0	65	53
मैटलुड रोड		0	02	78
192/1		0	18	28
192/2		0	33	98
182		0	65	67
कार्ट ट्रैक		0	01	88
179		0	14	06
178		0	19	95
175		0	11	00
176		0	33	28
164		0	30	87
कार्ट ट्रैक		0	03	08
162		0	67	88
कार्ट ट्रैक		0	14	05
127/2		0	00	33
128		0	57	56
131		0	29	66
60		0	31	28
57		0	05	63
56		0	13	40
49		0	57	37
कुल		5	91	20

(1)	(2)	(3)	(4)	(5)
हेजतपुर	84	0	29	47
एस.एस.-54		0	05	59
85		0	22	59
91		0	71	77
कार्ट ट्रैक		0	01	82
89		0	20	45
96		0	42	97
कार्ट ट्रैक		0	01	48
101		0	42	54
102		0	24	91
एस्फाल्टेड रोड		0	04	75
103		0	50	40
कुल		3	18	74
पिरोजपुरा	21	0	06	62
22		0	38	88
60		0	15	84
59		0	10	80
कार्ट ट्रैक		0	01	23
59		0	11	57
61		0	25	38
69		0	04	17
65		0	14	97
66		0	32	72
67		0	15	94
कुल		1	78	12
कोटडार्चंद गढ़	6	0	15	33
कार्ट ट्रैक		0	03	29
11		0	35	37
मेटल्ड रोड		0	01	78
12		0	06	97
कार्ट ट्रैक		0	01	01
32		0	47	45
ड्रेन		0	02	68
58		0	10	21
59/1		0	13	82
56		0	44	25
55/1		0	00	05
स्ट्रीम		0	05	82
33		0	02	96
स्ट्रीम		0	05	69
44		0	04	02
45/1		0	14	09
45/2		0	00	61

(1)	(2)	(3)	(4)	(5)
कोटलाकंदगढ़—जारी	42	0	45	36
	46	0	17	33
	47	0	30	03
	48	0	19	68
	49	0	15	86
	कुल	3	43	66
चितरानी	167	0	30	75
	169	2	24	12
बलराम नदी		0	42	95
फोरेस्ट		0	17	72
	कुल	3	15	54
राजपरिया	9	1	66	50
गुफान्टेड रोड		0	04	59
4		0	21	29
3/1		0	12	70
3/2		0	02	54
	कुल	2	07	62
जेथी	98	0	46	14
	100	0	00	59
	101	0	04	54
	95	0	85	78
	207	0	30	29
	203	0	03	12
कार्ट ट्रैक		0	05	11
204		0	44	37
202		0	25	34
199		0	13	04
198		0	27	43
कार्ट ट्रैक		0	00	09
कार्ट ट्रैक		0	00	94
190		0	13	80
189		0	13	94
188		0	14	76
95		4	52	65
गोरियर नदी		0	09	36
कार्ट ट्रैक		0	04	04
53		0	17	85
	कुल	9	13	18

(1)	(2)	(3)	(4)	(5)
इकबालगढ़	माइनर कैनाल	0	27	96
	13	0	35	17
	पश्चिमी रेलवे	0	14	17
	21/6	0	08	39
	59	0	93	28
	21/1		76	65
	एस्फाल्टेड रोड	0	02	90
	21/7	0	44	09
	22	0	33	27
	कुल	5	35	87
भांजरवा	10	0	63	09
	13	0	40	61
	कार्टे ट्रैक	0	11	63
	कुल	1	15	33
खूनी सरोवरी	तोरवा स्ट्रीम	0	22	31
	100	0	06	10
	99	0	27	56
	अनमेयुन्ड रोड	0	03	16
	79	0	29	84
	77	0	09	54
	78	0	10	93
	81	0	27	00
	82	0	00	38
	75	0	16	74
	64	0	71	95
	कुल	2,	25	51
लक्ष्मीपूरा	29	0	42	26
	28	0	39	96
	38	0	45	40
	25/1	0	23	07
	21	0	17	80
	24	0	01	32
	18/2	0	09	11
	18/1	0	43	42
	17	0	22	89
	16	0	07	63
	5	0	36	93
	6	0	14	85
	कुल	3	04	64

(1)	(2)	(3)	(4)	(5)
कालीमाटी	32	0	20	02
	34	0	29	46
	33	0	02	24
	39	0	17	56
	38	0	14	77
	39	0	04	86
	45/2	0	00	96
एम्फाटिड रोड		0	06	02
	49	0	15	89
	50/2	0	27	99
	45/1	0	21	00
	51	0	37	47
	53	0	16	57
	54	0	04	03
	55	0	05	28
	56	0	05	82
	56	0	23	29
	55	0	00	07
	66	0	02	30
	58	0	14	47
कार्ट ट्रैक		0	02	87
	59	0	16	67
रोड		0	02	06
	64	0	00	13
	60	0	29	72
	63/1	0	10	08
	60	0	29	72
	63/2	0	10	09
स्ट्रीम		0	09	68
	83	0	18	27
	84	0	10	04
	89	0	12	05
	85	0	00	06
	88	0	17	21
	87	0	13	51
फारकी स्ट्रीम		0	11	83
	106	0	02	13
फारकी स्ट्रीम		0	17	21
	कुल	4	83	40
घनपुरा	स्ट्रीम		04	85
	67	0	08	15
	स्ट्रीम	0	03	10
	66	0	07	90
	64	0	14	75
	63	0	08	83
	62	0	14	89

(1)	(2)	(3)	(4)	(5)
धनपुरा- जारी	60	0	15	87
	61	0	00	40
	50	0	37	05
काटे ट्रैक		0	01	87
	40	0	24	19
	48	0	12	62
	40	0	20	90
	47	0	00	69
	41	0	23	81
	39	0	22	88
	38	0	24	86
	36	0	17	72
	30	0	20	11
	25	0	27	95
	24	0	07	93
	23	0	12	84
	20	0	06	81
	22	0	12	56
	21	0	18	56
	19	0	26	31
	18	0	12	71
कुल		4	08	11
जोरापुरा	स्ट्रीम	0	18	05
	बड	0	01	50
	29	0	39	06
	27	0	12	16
	स्ट्रीम	0	11	39
	26	0	09	20
	25	0	11	73
	23	0	16	13
	22	0	14	26
	20	0	10	93
	15	0	17	11
	16	0	13	42
	14	0	00	09
	13	0	02	25
	स्ट्रीम	0	04	17
	9	0	30	70
	10	0	00	33
	एस्फाल्टेड रोड	0	01	56
	11	0	11	03
कुल		2	25	07

(1)	(2)	(3)	(4)	(5)
खुनिया	74	0	51	66
	सुरी स्ट्रीम	0	11	06
	77	0	08	34
	80	0	13	56
	81	0	20	54
	स्ट्रीम	0	43	08
	14	0	26	29
	18	0	01	23
	15	0	00	53
	19	0	19	84
	कुल	1	96	13
फडोतर	150	0	08	79
	148	0	20	48
	146	0	15	57
	145	0	09	97
	144	0	10	27
	143	0	06	61
	142	0	06	73
	अतमेटल्ल रोड	0	02	07
	125	0	13	92
	119	0	04	37
	126	0	07	08
	127	0	18	98
	बैरन लैंड	0	04	28
	117	0	19	29
	116	0	04	40
	107	0	16	67
	बैरन लैंड	0	09	74
	बैरन लैंड	0	16	49
	102	0	41	12
	100	0	40	58
	99	0	24	28
	कुल	3	01	69
अमिरगढ़	डुंगरपुर स्ट्रीम	0	05	66
	28/2	0	59	58
	एस्फाल्टेड रोड	0	07	76
	26	0	75	57
	रोड	0	03	64
	26	0	10	20
	रोड	0	03	16
	26	0	76	17
	14	0	23	06
	स्ट्रीम	0	18	09
	12	0	14	32
	स्ट्रीम	0	05	90
	13	0	11	89
	स्ट्रीम	0	08	12

1	2	3	4	5
अमीरगढ़-जारी	13	0	31	96
	मैडलड रोड	0	01	03
	12	0	49	86
	स्ट्रीम	0	12	63
	कुल	4	18	60
अवल	282	0	03	54
	275	0	03	07
	274	0	15	90
	265	0	00	98
	267	0	47	72
	कार्ट ट्रैक	0	01	70
	266	0	15	75
	स्ट्रीम	0	01	13
	238	0	30	16
	236	0	13	56
	227	0	50	66
	स्ट्रीम	0	16	29
	225	0	36	32
	कुल	2	36	78
ड'ग रुपुरा	एस्फाल्टेड रोड	0	03	49
	7	1	10	51
	42	0	24	75
	43	0	23	30
	44	0	23	74
	45	0	21	77
	46	0	20	36
	47	0	21	36
	ग्रनमेटलड रोड	0	01	82
	53	0	15	03
	54	0	17	39
	ग्रनमेटलड रोड	0	02	21
	56	0	06	87
	55	0	23	85
	69	0	31	85
	72	0	03	23
	कुल	3	51	48
निचली बांध	8	0	26	30
	37	0	03	00
	स्ट्रीम	0	08	54
	8	0	06	60
	कार्ट ट्रैक	0	02	49
	8	0	34	59
	55	0	57	32
	56	0	05	91
	कुल	1	44	75

New Delhi, the 18th March, 1998

S.O. 680.—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Kandla, Gujarat to Loni, Uttar Pradesh State, pipeline should be laid by the Gas Authority of India Ltd.

And Whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interest in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Gas Authority of India Ltd, IIInd Floor, Darpan Bldg. R. C. Dutt Road, Baroda.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

GAS AUTHORITY OF INDIA LIMITED

VADODARA

SCHEDULE

LPG Gas Pipeline from Kandla to Loni

(Patan to Aburoad Section)

State : Gujarat

Taluka : Palanpur

District : Banaskantha

Village	Sr. No. Block No.	Area		
		Hectare	Are	Centiare
1	2	3	4	
Dalwada	133	0	24	30
	128	0	10	77
	127	0	15	48
	Cart Track	0	02	62
	Cart Track	0	01	04
	126	0	25	26
	108	0	06	5
	Cart Track	0	02	71
	47	0	21	53
	48	0	22	24
	50	0	10	06
	49	0	12	48
	50	0	03	81
	51	0	27	84
	52	0	30	92
	Cart Track	0	04	92
	56	0	16	91
	Total	2	39	44
Madanagadh	764	0	09	38
	765	0	29	79
	767	0	07	72
	Canal	0	11	39

1	2	3	4	5
Madanagadh	768	0	04	38
	735	0	06	14
	736	0	13	72
	737	0	11	40
	Gadh Branch Canal	0	10	67
	699	0	20	08
	698	0	07	79
	697	0	17	89
	696	0	01	33
	695	0	37	41
	683	0	5	08
	880	0	23	71
	881	0	31	66
	882	0	15	01
	940	0	17	08
	938	0	18	61
	Cart Track	0	04	59
	943	0	16	66
	957	0	37	18
	Cart Track	0	03	02
	956	0	35	80
	952	0	37	69
	997	0	28	92
	Car Track	0	03	69
	998	0	15	49
	1015	0	25	00
	1016	0	43	52
	1025	0	21	11
	8L Distributary	0	07	21
	1026	0	05	61
	Cart Track	0	03	21
	1044	0	04	48
	1046	0	28	2
	Car Track	0	03	90
	1098	0	03	33
	Canal	0	06	56
	1101	0	30	97
	1100	0	01	59
	1102	0	35	74
	1110	0	30	18
	1109	0	02	67
	Cart Track	0	03	55
	1112	0	17	95
	729	0	02	90
	728/2	0	10	96
	728/1	0	09	05
	727	0	14	37
	725	0	22	15
	724	0	18	62
	722	0	12	58
	707	0	28	30
	708	0	37	88
Total		10	09	92

1	2	3	4	5
Gadh	770	0	02	35
	769	0	18	08
	771	0	13	35
	772	0	21	61
	773	0	15	04
	774	0	09	12
	764	0	55	96
	Asphalted Road	0	03	38
	874	0	12	98
	867	0	01	45
	873	0	37	11
	876	0	10	50
	849	0	15	28
	847	0	13	69
	848	0	04	70
	845	0	16	43
	844	0	13	01
	Cart Track	0	07	42
	840	0	61	83
	Cart Track	0	02	68
	839	0	08	51
	Cart Track	0	04	70
	11	0	10	01
	12	0	22	01
	45	0	16	07
	44	0	23	22
	51	0	10	76
	53	0	28	05
	54	0	35	26
	58	0	12	18
	Asphalted Road	0	02	21
	90	0	21	99
	96	0	15	20
	95	0	14	93
	98	0	27	05
	Cart Track	0	05	16
	904	0	09	14
	101	0	05	78
	102	0	20	01
	103	0	02	87
	Cart Track	0	14	18
	Cart Track	0	16	85
	207	0	06	12
	208	0	22	01
	209	0	17	01
	210	0	35	73
	204	0	19	04
	200	0	23	58
	201	0	05	88
	203	0	01	18
	214	0	02	29
	202	0	21	17
	193	0	15	09
	194	0	06	55
	191	0	21	25

1	2	3	4	5
	190	0	20	15
	Cart Track	0	06	94
	222	0	18	11
	Ladbi Nadi	0	05	75
	226	0	19	53
	225	0	11	85
	224	0	00	32
	Total	9	41	66
Salempura	179	0	23	71
	176	0	49	35
	166	0	01	65
	Cart Track	0	00	63
	171	0	21	60
	121	0	17	07
	120	0	00	90
	119	0	14	52
	118	0	02	65
	103	0	03	64
	91	0	10	42
	Asphalted Road	0	02	50
	89	0	03	86
	88	0	04	19
	87	0	04	74
	86	0	10	99
	82	0	05	32
	81	0	09	47
	78	0	19	12
	73	0	19	05
	Cart Track	0	02	68
	Stream	0	23	81
Salempura	72	0	00	95
	70	0	13	47
	68	0	08	82
	67	0	08	80
	66	0	03	09
	63	0	03	63
	64	0	15	88
	61	0	03	58
	Cart Track	0	06	52
	Total	3	16	61
Kumbhasan	404	0	05	56
	405	0	22	80
	406	0	27	24
	407	0	09	73
	417	0	21	56
	458	0	39	75
	457	0	66	48
	421	0	06	41
	Total	1	99	47

1	2	3	4	5
Vedancha	428	0	40	46
	427	0	37	70
	426	0	27	68
	Cart Track	0	03	68
	436	0	03	86
	437	0	28	19
	Cart Track	0	02	17
	388	0	43	37
	378	0	37	96
	305	0	05	67
	302	0	19	75
	300	0	13	23
	301	0	07	24
	298	0	16	79
	288	0	19	18
	289	0	07	08
	287	0	07	25
	279	0	24	96
	280	0	26	93
	Cart Track	0	06	48
	247	0	10	36
	249	0	19	52
	250	0	15	44
	251	0	07	90
	Asphalted Road	0	05	90
	6	0	29	78
	435	0	32	00
	7	0	06	41
	8	0	17	97
	15	0	17	63
	14	0	38	39
	32	0	28	52
	33	0	19	38
	Total	6	59	87
Khodla	259	0	06	62
	258	0	13	33
	257	0	09	85
	251	0	35	78
	252	0	04	32
	253	0	09	88
	250	0	09	57
	249	0	36	08
	247	0	01	43
	246	0	25	55
	Cart Track	0	03	36
	194	0	40	36
	208	0	29	99
	214	0	29	21
	213	0	21	28
	226	0	39	17
	225	0	23	15
	224	0	25	97
	222	0	21	86
	Total	3	85	96

1	2	3	4	5
Chadotar	413	0	02	26
	412	0	34	05
	411	0	39	05
	407	0	12	83
	Cart Track	0	03	05
	408	0	16	40
	Western Railway	0	15	14
	318	0	26	40
	319	0	40	14
	Cart Track	0	02	63
	315/2	0	04	46
	315/1	0	17	16
	314	0	06	74
	281	0	08	26
	293	0	20	69
	292	0	35	36
	291	0	30	71
	289	0	19	45
	NH-14	0	03	76
	233/1	0	28	59
	332	0	03	04
	234	0	48	71
	235	0	03	18
	Bajra	0	03	26
	215	0	58	99
	187	0	58	79
	Cart Track	0	01	19
	177/1	0	21	08
	177/2	0	20	24
	177/3	0	21	78
	184	0	13	00
	178/1	0	18	46
	180	0	03	78
	179	0	24	54
	Asphalted Road	0	03	39
	117	0	34	13
	115	0	01	80
	114	0	08	21
	112	0	17	98
	111	0	35	02
	112	0	10	81
	96	0	56	25
	Cart Track	0	02	77
	Cart Track	0	10	51
	78	0	00	36
	Cart Track	0	03	09
	79	0	38	63
	80	0	09	10
	91	0	15	96
	90	0	16	71
	85	0	20	39
	84	0	23	93
	Total	9	71	71

1	2	3	4	5
Parpuda	150	0	13	60
	151	0	27	14
	Cart Track	0	03	21
	154	0	40	95
	184	0	44	88
	173	0	22	49
	180	0	23	86
	29	0	07	91
	25	0	27	30
	28	0	29	72
	32	0	21	62
	30	0	23	55
	Asphalted Road	0	03	58
	68	0	07	30
	67	0	17	52
	66	0	06	39
	65	0	05	57
	64	0	02	92
	60	0	08	78
	102	0	33	95
	74	0	01	78
	75	0	30	98
	85	0	26	02
	84	0	14	37
	83	0	00	46
	82	0	23	37
	93	0	25	08
	95	0	30	67
	Total	5	24	97
Lunva	126	0	10	52
	Cart Track	0	02	78
	123	0	25	41
	124	0	12	84
	125	0	53	49
	173	0	32	09
	105	0	30	47
	104	0	25	72
	103	0	27	50
	Metalled Road	0	02	01
	176	0	57	39
	95	0	01	60
	94	0	42	01
	92	0	17	52
	93	0	15	06
	90	0	15	28
	89	0	09	51
	86	0	13	65
	85	0	21	00
	82	0	47	68
	79	0	06	55
	Total	4	64	09

	1	2	3	4	5
Warwadiya		10	0	75	26
		12	0	08	63
		6	0	17	04
		4	0	27	17
		Total	1	28	10
Malana		204	0	13	66
		203	0	65	55
		Metalled Road	0	02	78
		192/1	0	18	28
		192/2	0	33	98
		182	0	65	67
		Cart Track	0	01	88
		179	0	14	06
		178	0	19	95
		175	0	11	00
		176	0	33	28
		164	0	30	87
		Cart Track	0	03	08
		162	0	67	88
		Cart Track	0	14	05
		127/2	0	00	33
		128	0	57	56
		131	0	29	66
		60	0	31	28
		57	0	05	63
		66	0	13	40
		49	0	57	37
		Total	5	91	20
Hebatpur		84	0	29	47
		SH-54	0	05	59
		85	0	22	59
		91	0	81	77
		Cart Track	0	01	82
		89	0	20	45
		96	0	42	97
		Cart Track	0	01	48
		101	0	42	54
		102	0	24	91
		Asphalted Road	0	04	75
		103	0	50	40
		Total	3	18	74
Pirojpur		21	0	06	62
		22	0	38	88
		60	0	15	84
		59	0	10	80
		Cart Track	0	01	23
		59	0	11	57
		61	0	25	38
		69	0	04	17
		65	0	14	97
		66	0	32	72
		67	0	15	94
		Total	1	78	12

1	2	3	4	
Kotdachandgad	6	0	15	33
	Cart Track	0	03	29
	11	0	35	37
	Metalled Road	0	01	7
	12	0	06	9
	Cart Track	0	01	01
	32	0	47	45
	Drain	0	02	68
	58	0	10	21
	59/1	0	13	82
	56	0	44	25
	55/1	0	00	05
	Stream	0	05	82
	55	0	02	96
	Stream	0	05	69
	44	0	04	02
	45/1	0	14	09
	45/2	0	00	61
	42	0	45	36
	46	0	17	33
	47	0	30	03
	48	0	19	68
	49	0	15	86
	TOTAL	3	43	66
Chitrasani-	167	0	30	75
	169	2	24	12
	Balaram River	0	42	95
	Forest	0	17	72
	TOTAL	3	15	54
Rajpuriya	9	1	66	50
	Asphalted Road	0	04	59
	4	0	21	29
	3/1	0	12	70
	3/2	0	02	54
	TOTAL	2	07	62
Jethi	98	0	46	14
	100	0	00	59
	101	0	04	54
	95	0	85	78
	207	0	30	29
	203	0	03	12
	Cart Track	0	05	11
	204	0	44	37
	202	0	25	34
	199	0	13	04
	198	0	27	43
	Cart Track	0	00	09
	Cart Track	0	00	94

1	2	3	4	5
	190	0	13	80
	189	0	13	94
	188	0	14	76
	95	5	52	65
	Goriar River	0	09	36
	Cart Track	0	04	04
	53	0	17	85
	TOTAL	9	13	18
Iqbalgadh	Minor Canal	0	27	96
	13	0	35	17
	Western Railway	0	14	17
	21/6	0	08	39
	59	0	93	28
	21/1	0	76	65
	Asphalted Road	0	02	90
	21/7	0	44	09
	22	0	33	26
	TOTAL	5	35	87
Jhanjarwa	10	0	63	0
	13	0	40	61
	Cart Track	0	11	63
	TOTAL	1	15	33
Juni Sarotri	Thorba Stream	0	22	3
	100	0	06	10
	99	0	27	56
	Unmetalled Road	0	03	1
	79	0	29	84
	77	0	09	54
	78	0	10	93
	81	0	27	00
	82	0	00	38
	75	0	16	74
	64	0	71	95
	TOTAL	2	25	51
Lakshmipura	29	0	42	26
	28	0	39	96
	38	0	45	40
	25/1	0	23	07
	21	0	17	80
	24	0	01	32
	18/2	0	09	11
	18/1	0	43	42
	17	0	22	89
	16	0	07	63
	5	0	36	93
	6	0	14	85
	TOTAL	3	04	64

1	2	3	4	5
Kalimati	32	0	20	02
	34	0	29	46
	33	0	02	24
	39	0	17	56
	38	0	14	77
	39	0	04	86
	45/2	0	00	96
	Asphalt Road	0	06	02
	49	0	15	89
	50/2	0	27	99
	45/1	0	21	00
	51	0	37	47
	53	0	16	57
	54	0	04	03
	55	0	05	28
	56	0	05	82
	56	0	23	29
	55	0	00	07
	66	0	02	30
	58	0	14	47
	Cart Track	0	02	87
	59	0	16	67
	Road	0	02	06
	64	0	00	13
	60	0	29	72
	63/1	0	10	08
	60	0	29	72
	63/2	0	10	09
	Stream	0	09	68
	83	0	18	27
	84	0	10	04
	89	0	12	05
	85	0	00	06
	88	0	17	21
	87	0	13	51
	Pharki Stream	0	11	83
	106	0	02	13
	Pharki Stream	0	17	21
TOTAL		4	83	40
Dhanpura	Stream	0	04	85
	67	0	08	15
	Stream	0	03	10
	66	0	07	9
	64	0	14	75
	63	0	08	83
	62	0	11	89
	60	0	15	87
	61	0	00	40
	50	0	37	05
	Cart Track	0	01	87
	40	0	24	19
	48	0	12	62
	40	0	20	90

1	2	3	4	5
Dhanpura	47	0	00	69
	41	0	23	81
	39	0	22	88
	38	0	24	86
	36	0	17	72
	35	0	20	11
	25	0	27	95
	24	0	07	92
	23	0	12	84
	20	0	06	81
	22	0	12	56
	21	0	18	56
	19	0	26	31
	18	0	12	71
	TOTAL	4	08	11
Jorapura	Stream	0	18	05
	Bund	0	01	50
	29	0	39	06
	27	0	12	16
	Stream	0	11	3
	26	0	09	20
	25	0	11	73
	23	0	16	13
	22	0	14	26
	20	0	10	93
	15	0	17	11
	16	0	13	42
	14	0	00	09
	13	0	02	25
	Stream	0	04	17
	9	0	30	70
	10	0	00	33
	Asphalted Road	0	01	56
	11	0	11	03
	TOTAL	2	25	07
Khuniya	74	0	51	66
	Suri Stream	0	11	06
	77	0	08	34
	80	0	13	56
	81	0	20	54
	Stream	0	43	08
	14	0	26	29
	18	0	01	23
	15	0	00	53
	19	0	19	84
	TOTAL	1	96	13

1	2	3	4	5
Kidotar	150	0	08	79
	148	0	20	48
	146	0	15	57
	145	0	09	97
	144	0	10	27
	143	0	06	61
	142	0	06	73
	Unmetalled Road	0	02	07
	125	0	13	92
	119	0	04	37
	126	0	07	08
	127	0	18	98
	Barren Land	0	04	28
	117	0	19	29
	116	0	04	40
	107	0	16	67
	Barren Land	0	09	74
	Barren Land	0	16	49
	102	0	41	12
	100	0	40	58
	99	0	24	28
TOTAL		3	01	69
Amirgadh	Dugarpur Stream	0	05	66
	28/2	0	59	58
	Asphalted Road	0	07	76
	26	0	75	57
	Road	0	03	64
	26	0	10	20
	Road	0	03	16
	26	0	76	17
	14	0	23	06
	Stream	0	18	09
	12	0	14	32
	Stream	0	05	90
	13	0	11	89
	Stream	0	08	12
	13	0	31	96
	Metalled Road	0	01	03
	12	0	49	86
	Stream	0	12	63
TOTAL		4	18	60
Dungarpura	Asphalted Road	0	03	49
	7	1	10	51
	42	0	24	75
	43	0	23	30
	44	0	23	74
	45	0	21	77
	46	0	20	36
	47	0	21	36
	Unmetalled Road	0	01	82
	53	0	15	03

1	2	3	3	5
Dungarpura	54	0	17	39
	Unmetalled Road	0	02	21
	56	0	06	87
	55	0	23	85
	69	0	31	80
	72	0	03	23
	TOTAL	3	51	48
Nichlo Bandh	8	0	26	30
	37	0	03	00
	Stream	0	08	54
	8	0	06	60
	Cart Track	0	02	49
	8	0	34	59
	55	0	57	32
	56	0	05	91
	TOTAL	1	44	75
Aval	282	0	03	54
	275	0	03	07
	274	0	15	90
	265	0	00	98
	267	0	47	72
	Cart Track	0	01	70
	266	0	15	75
	Stream	0	01	13
	238	0	30	16
	236	0	13	56
	227	0	50	66
	Stream	0	16	29
	225	0	36	32
	TOTAL	2	36	78

[No.-/L14016/4/97—GI]

[S.N.PRASAD, Dy. Secy.]

स्वास्थ्य और परिवार कल्याण मंत्रालय
(भारतीय शिक्षिता पद्धति एवं होम्योपैथी विभाग)

नई दिल्ली, 16 मार्च, 1998

का.आ.681—केन्द्रीय सरकार, होम्योपैथी केन्द्रीय परिषद्, अधिनियम, 1973 (1973 का 59) की धारा 13 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय होम्योपैथी परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की दूसरी अनुसूची में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अनुसूची में :—

(क) “ग्राम्य प्रदेश” शीर्षक के अन्तर्गत क्रम संख्यांक “ 3B” के स्थान पर “3Bक” रखा जायेगा।

(ख) यथासंशोधित क्रम संख्यांक 3Bक, 3B, 5(क), 7B, 12B और 13Bख के सामने स्तंभ 2 में “इन” शब्द के स्थान पर “आफ” शब्द रखा जायेगा।

[सं. बी-27021/18/87—होम्यो.]

चिरंजी लाल, अवर सचिव

टिप्पणी :—मूल अधिसूचना, भारत के राजपत्र में का.आ. सं. 76, तारीख 20 दिसम्बर, 1973 द्वारा अधिसूचित की गई थी, तथा उसमें पिछली बार का.आ. सं. 2805, तारीख 13 सितम्बर, 1996 द्वारा संशोधन किया गया था।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of ISM & Homoeopathy)

New Delhi, the 16th March, 1998

S.O. 681.—In exercise of the powers conferred by sub-section (2) of section 13 of the Homoeopathy Central Council, 1973 (59 of 1973), the Central Government, after consulting the Central Council of Homoeopathy, hereby makes the following amendments in the Second Schedule to the said Act, namely :—

In the said Schedule :—

- (a) under heading “ANDHRA PRADESH” serial number “3 E” shall be substituted as “3 DA”;
- (b) in column 2 against serial number 3 DA so amended, 3 F, 5(a), 7 F, 12 C and 13 BB for the word “in” the word of “shall be substituted.

[No. V. 27021/18/87-Homoeo.]

CHIRANJI LAL, Under Secy.

Note : The Principle Notification was notified in the Gazette of India Part II, Section I vide, S.O. 76 dated 20th December, 1973 and was last amended vide S.O. 2805, dated 13th September, 1996.

कृषि मंत्रालय

(कृषि एवं सहकारिता विभाग)

आदेश

नई दिल्ली, 26 मार्च, 1998

का.आ. 682.—जहां बहुराज्यीय सहकारी समिति अधिनियम, 1984 (1984 का 51) (एतपश्चिम्न पश्चात् जिसे अधिनियम कहा गया है) में प्रावधान है कि कोई व्यक्ति किसी बहु राज्यीय समिति के बोर्ड के अध्यक्ष या सभापति या उपाध्यक्ष या उप सभापति पद के लिए तब पात्र नहीं होगा यदि वह उक्त पद पर लगातार दो बार चाहे पूर्ण उकालिक या अंशकालिक रूप से रह चुका हो;

और जहां,

- (i) “कमर्शियल इम्प्लाइज को ऑपरेटिव थ्रिफ्ट एंड क्रेडिट सोसायटी लि. चेन्नई,
- (ii) वि सिम्पसन एंड ग्रुप कम्पनीज इम्प्लाइज कोऑपरेटिव सोसायटी लि. चेन्नई

ने समिति के हित के लिए अपने-अपने अध्यक्षों का लगातार तीसरी बार भी अपने पद पर बनाये रखने के लिए केन्द्रीय सरकार को अभ्यावेदन दिया है,

और जहां केन्द्र सरकार सावधानीपूर्वक विचार करने के बाद इस बात से संतुष्ट है कि इन समितियों को अधिनियम की धारा 37 के प्रावधानों से छूट समीचीन होगा,

अतः अब केन्द्र सरकार अधिनियम की धारा 99 की उपधारा (2) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए उपर्युक्त समितियों को इस अधिसूचना के प्रकाशन की तिथि से तीन वर्षों की एक और अवधि के लिए अधिनियम की धारा 37 के प्रावधानों से छूट देती है।

[फ़.सं. आर 11017/23/95-एल एंड एम]

पॉल जोसेफ, संयुक्त सचिव

MINISTRY OF AGRICULTURE

(Department of Agriculture and Co-operation)

ORDER

New Delhi, the 26th March, 1998

S.O. 682.—Whereas Section 37 of the Multi State Co-operative Societies Act, 1984 (51 of 1984), (hereinafter referred to as the Act), provides that no person shall be eligible to hold the office of President or Chairman or Vice-President or Vice-Chairman on the board of a multi state co-operative society after he has held the office during two consecutive terms, whether full or part;

And whereas the following societies have represented to the Central Government for continuation of President of the respective societies for the third term in the interest of the societies :—

(i) The Commercial Employees Co-operative Thrift and Credit Society Ltd., Chennai;

(ii) The Simpson & Group Companies Employees Co-operative Society Ltd., Chennai.

And whereas the Central Government after careful consideration, is satisfied that it will be expedient to exempt the said society from the provisions of section 37 of the Act;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 99 of the Act, the Central Government hereby exempts the above mentioned societies from the provisions of section 37 of the Act, for one more term of three years from the date of publication of this notification.

[F. No. R-11017/23/95-L&M]

PAUL JOSEPH, Jt. Secy.

शहरी कार्य और रोजगार संसाधन

(शहरी विकास विभाग)

(दिल्ली प्रभाग)

नई दिल्ली, 12 मार्च, 1998

का.आ. 683.—यतः निम्नांकित क्षेत्रों के बारे में कुछ संशोधन, जिन्हें केन्द्रीय सरकार अधोर्गणित क्षेत्रों के बारे में दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा दिल्ली विकास अधिनियम, 1956 (1957 का 61) की धारा 44 के प्रावधानों के अनुसार दिनांक 20-3-93 के नोटिस संख्या एफ-3 (56)/89-एम पी खण्ड-1 द्वारा प्रकाशित किए गए थे जिसमें उक्त अधिनियम की धारा 11-ए की उप धारा (3) में अपेक्षित आपत्तियाँ/सुझाव, उक्त नोटिस की तारीख के 30 दिन की अवधि में आमंत्रित किए गए थे।

2. यतः प्रस्तावित संशोधनों के बारे में जनता से कुछ आपत्तियाँ और सुझाव प्राप्त नहीं हुए हैं और यतः केन्द्र सरकार ने मामले के सभी पहलुओं पर ध्यान पूर्वक विचार करने के पश्चात् बृहद योजना में संशोधन करने का निर्णय लिया है।

3. अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 11-ए की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त बृहद योजना में एतद्वारा निम्नलिखित संशोधन करती है :
संशोधन :

4. जोन "ओ" (यमुना नदी) में शामिल करीब 4.4 हेक्टेयर (10 एकड़) का क्षेत्र जो उत्तर में डेसू के फ्लाईएश पोण्डों, दक्षिण में राजघाट थर्मल पावर स्टेशन, पूर्व में यमुना नदी और पश्चिम में राजघाट (समाधि परिसर) से घिरा है, उस क्षेत्र का भू-उपयोग "कृषि तथा जल निकाय" (प्रयोग जोन ए-4) से बदलकर "उत्पादन" (प्रयोग जोन एम 2) किया जाता है।

(सं. के-13011/12/91-डी डी आई बी]

के. के. गुप्ता, अधीक्षक सचिव

MINISTRY OF URBAN AFFAIRS & EMPLOYMENT

(Department of Urban Development)

(Delhi Division)

New Delhi, the 12th March, 1998

S.O. 683.—Whereas certain modification which the Central Govt. proposed to make in the Master Plan for Delhi/Zonal Development plan regarding the area mentioned hereunder were published with Notice No. F. 3(56)/89-M.P. P-I dated 20-3-93 in accordance with the provisions of Section 14 of the Delhi Development Act, 1956 (61 of 1957), inviting objections/suggestions as required by sub-section (3) of section 11-A of the said Act, within thirty days from the date of the said notice.

2. Whereas no objections/suggestions were received with regard to the proposed modification and whereas the Central Government have, after carefully considering all aspects of the matter, decided to modify the Master Plan,

3. Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of Publication of this Notification in the Gazette of India.

4. The land use of an area measuring about 4.04 hac. (10 acres) forming part of Zone 'O' (River Yamuna) and bounded by DESU fly ash ponds in the North Rajghat Thermal Power Station in the South, River Yamuna in the East and Rajghat (Samadhi Complex) in the West, is proposed to be changed from 'Agricultural and water body, (Use Zone A-4)' to 'manufacturing Use Zone M-2'.

(No. K-13011/12/91-DDIB)

K. K. GUPTA, Under Secy.

नई दिल्ली 16 मार्च, 1998

का.आ. 684.—यतः निम्नांकित क्षेत्रों के बारे में कुछ संशोधन, जिन्हें केन्द्रीय सरकार अधोर्गणित क्षेत्रों के बारे में दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा जो दिल्ली विकास अधिनियम, 1956 (1957 का 61) की धारा 44 के प्रावधानों के अनुसार दिनांक 20-10-97 के नोटिस संख्या एफ 3 (49)/95-एम पी द्वारा प्रकाशित किये गये थे। जिसमें उक्त अधिनियम की धारा 11-ए की उप धारा (3) में अपेक्षित आपत्तियाँ/सुझाव, उक्त नोटिस की तारीख के 30 दिन की अवधि में आमंत्रित किये गये थे।

2. यतः प्रस्तावित संशोधन के बारे में 92 (नानबे) आपत्तियाँ और सुझाव प्राप्त हुए हैं और यतः केन्द्र सरकार ने मामले के सभी पहलुओं पर ध्यानपूर्वक विचार करने के पश्चात् बृहद योजना में संशोधन करने का निर्णय लिया है।

3. अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 11-ए की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त बृहद योजना में एतद्वारा निम्नलिखित संशोधन करती है।

संशोधन :—

MINISTRY OF LABOUR

New Delhi, the 4th March, 1998

प्लानिंग डिवाजन "एफ" (दक्षिणी विल्ली-1) में आने वाला लगभग 0.4 हेक्टेयर (1.00 एकड़) क्षेत्र, जो उत्तर में रिहायशी उपयोग, पूर्व में महर स्कूल, दक्षिण में सांस्थानिक उपयोग तथा पश्चिम में अरविन्दो मार्ग (महरोली रोड) से घिरा है का भू-उपयोग "सार्वजनिक तथा अर्ध-सार्वजनिक सुविधाएँ" (शिक्षा तथा अनुसंधान) से बदलकर रिहायशी उपयोग (19 रिहायशी एकक) किया जाता है।

[सं. जे-13039/1/96-डी डी I बी)]

के.के. गुप्ता, अवर सचिव

New Delhi, the 16th March, 1998

S.O. 684.—Whereas certain modifications which the Central Govt. proposed to make in the Master Plan for Delhi/Zonal Development Plan regarding the area mentioned hereunder were published with Notice No. F. 3(49)/95-MP dt. 20-10-97 in accordance with the provisions of Section 44 of the Delhi Development Act, 1956 (61 of 1957), inviting objections/suggestions as required by sub-section (3) of Section 11-A of the said Act, within thirty days from the date of the said notice.

2. Whereas 92 objections/suggestions were received with regard to the proposed modification and whereas the Central Government have, after carefully considering all aspects of the matter, decided to modify the Master Plan.

3. Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of Publication of this Notification in the Gazette of India.

MODIFICATION :—

The land use of an area measuring about 0.4 hac. (1.00 acre) falling in Planning Division 'F' (South Delhi-I) bounded by Residential use in the north, Mother's school in the East, Institutional use in the South and Aurobindo Marg (Mehrauli Road) in the West is proposed to be changed from 'Public & Semi public facilities' (Education & Research) to Residential use (19 DU's).

[No. J-13039/1/96-DD1B]

K. K. GUPTA, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 4 मार्च, 1998

का.आ. 685.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में बी.सी.सी. एल. के प्रबंधनत्व के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं.-2), घनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-98 को प्राप्त हुआ था।

[सं. एल-20012/157/91-आईआर (सी-I)]

सानतन, डेस्क अधिकारी

S.O. 685.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. BCCL. and their workman, which was received by the Central Government on 4-3-98.

[No. L-20012/157/91-IR (C-I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

PARTIES :

Reference No. 11 of 1992

Employers in relation to the management of Bharat Coking Coal Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen—Shri S. K. Bhattacharjee, Advocate.

On behalf of the employers—Shri H. Nath, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 19th February, 1998

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (157)/91-I.R. (Coal-I), dated, the 22nd January, 1997.

SCHEDULE

"Whether the demand of Rashtriya Colliery Mazdoor Sangh (INTUC) for treating the date of birth of S/Shri Bhola Yadav, Ragho Mahato and Baleswar of Bahihari Colliery of M/s. B.C.C.L. from 16-7-36, 13-12-28 and 3-12-36 to 8-5-42, 1-7-26 and 8-5-41 respectively is justified? If so, to what relief the workmen are entitled?"

2. The facts giving rise to the present reference case may be stated as follows :—

Bhola Yadav, Ragho Mahato and Baleswar were permanent employees of S. B. Section of Bahihari colliery of M/s. B.C.C.L. The date of their appointment being 26-10-64, 20-9-61 and 17-6-65 respectively. Out of these three workmen Shri Ragho Mahato and Shri Baleswar have been working as underground Trammer while Shri Bhola as explosive carrier. In view of the date of appointment of the concerned workmen it would be evident that all of them have been working in Coal industry from before nationalisation and in fact there was never any break and as such all of them were attached to South Bahihari Colliery previously attached to East Indian Coal Company Ltd. and all of them were taken over in 1971 the East Indian Coal Co. Ltd. were the owner of another colliery named S. B. Kendwadih Colliery. The relevant records and documents of S. B. Kendwadih Colliery and South Bahihari Colliery were kept, and maintained in the office of the company at Kendwadih Colliery and after taking over of the

collieries by the Govt. of India in 1971 and their subsequent nationalisation in May, 1972 the different collieries were restructured and in that process South Bahihari Colliery was merged with Kuchhi Bahihari Colliery and is known as Bahihari Colliery. The East Indian Coal Co. Ltd. prescribed application form for employment known as Form L.D. 6. The intended candidate for employment in that company used to supply in this form by giving their name, father's, home address etc., and the selected candidates used to be sent to the Medical Officer for assessment of their age. The Medical Officer used to sign the certificate of age along with the Labour Officer of the Company. Later on Form B Register was prepared on the basis of the details contained in L.D. 6 and in the said record of South Bahihari Colliery the details in respect of the concerned workmen were there and according to such details the date of birth of Shri Baleshwar was 8-6-41, of Shri Ragho Mahato 1-6-36 and Shri Bhola Yadav 8-5-42. All these employees were permanent employees and their details were recorded in the Form B Register but subsequently a new Form B Register was prepared by the management of Bahihari Colliery which should have reflected the contents of earlier Form B Register prepared in consultation with L.D. 6 of East Indian Coal Co. Ltd. But in the new Form B Register prepared at Bahihari colliery the date of birth of Shri Ragho Mahato has been shown as 13-12-28, Baleshwar as 3-12-36 and of Bhola Yadav as 16-7-36. Such entries in the new Form B Register are in fact baseless and also in utter violation of the provision of Coal Mines Nationalisation Act which provided that the Wage Board Employees would be taken over in their existing terms and condition of employment. Because of the change introduced in the new Form B Register in respect of the date of birth of the concerned workmen a demand was put forward by the R.C.M.S. (INTUC) to correct the date of birth in the relevant register in respect of the concerned workmen Bhola Yadav and Baleshwar and Ragho by noting there in 8-5-42, 3-12-36 and 8-5-41 as their date of birth respectively. Since the authority has failed to correct the date of birth of the concerned workmen an industrial dispute was raised which has since been referred to this Tribunal by the Ministry of Labour, Govt. of India giving rise to the present reference case.

3. The management of B.C.C.L. contested the reference case by filing a Written-Statement-cum-rejoinder wherein the management has challenged the legality and maintainability of the reference itself by the Central Government the nature of the dispute being not industrial and has also denied the allegation of introduction of any change in the Form B Register in respect of the age of the concerned workmen. The management has also made out a case in their W.S. that after nationalisation of Coal Mines S. B. Section of Kendwadiah Colliery merged with Bahihari colliery and a large number of employees came into the roll of Bahihari Colliery sometimes in the year 1972-73. After merger of S. B. Section of Kendwadiah with Bahihari a new Form B Register for whole colliery was prepared and subsequently I.D. Card register was also prepared sometimes in the year 1975. Accordingly I.D. Card was issued to all the employees including the concerned workmen Bhola Yadav, Ragho Mahato and Baleshwar by mentioning therein name, designation, father's name, date of birth as well as date of appointment and also their home address. As per Form B Register and I.D. Card register those being the statutory under the provision of Mines Act, and Rules the genuineness or correctness of the contents of those registers cannot be questioned by any union and in fact the intention of the union is to get services of the concerned workmen extended by avoiding their normal retirement for which such a demand has been put forward by the union in respect of the date of birth mentioned in the Form B Register of the concerned workmen. In addition the management by way of rejoinder has abstained from challenging the contents of para 3 to 12 of the W.S. of the concerned workmen and at the same time has made out a case that pre-takeover of old records are not available

at Kendwadiah Colliery as under the provision of Mines Rules such records are to be preserved for a period of one calendar year after the date of last entry for which the management as employer is not in a position to accept the contention of the Union. The management has further denied the contents of para-14 of the W.S. of the concerned workmen and has claimed that the date of birth of the concerned workmen named Shri Baleshwar as 3-12-36, Ragho Mahato 13-12-28 and Shri Bhola Yadav as 16-7-36 as per entries in the Form B Register prepared in consultation with the entries containing the records and registers of the colliery maintained by the erstwhile employer, and as such entries being correctly made signature/L.T.I. of the concerned workmen were also obtained therein and as such the concerned workmen on any union on their behalf cannot challenge the correctness etc. of the entries of Form B Register. Naturally, the employer has prayed for passing an Award holding that the demand of the R.C.M.S. (INTUC) for treating the date of birth of the concerned workmen as mentioned in their W.S. as unjustified and that the workmen are not entitled to any relief.

4. The concerned workmen have also filed a rejoinder as against the W.S. wherein they have challenged the statutory character of I.D. register and at the same time has made out a case that simply because the signature or L.T.I. of the concerned workmen were taken in the Form B or I.D. Card register. It cannot be said that the concerned workmen are debarred from challenging the correctness of the entries in respect of their age etc. in that Form B register. In the rejoinder the concerned workmen have also made out a case that Shri Ragho Mahato has since been retired but his retirement being premature is unjustified as before taking L.T.I. of the concerned workmen in the Form B Register the contents of the same were not read over or revealed to the concerned workmen giving them opportunity to challenge and thereby get corrected the entries contained in the Form B Register. In the rejoinder the concerned workmen have also denied that in demanding the correction of the entries in Form B Register in respect of date of birth of the concerned workmen, the same is not an attempt to get their services extended but in fact a protest and thereby the claim for correction of the date of birth of the concerned workmen for which the concerned workmen have prayed for passing an Award holding the demand of the union for the purpose of correction of the date of birth of the concerned workmen Baleshwar, Ragho Mahato and Bhola Yadav with direction to the employer for such correction of their date of birth in the Form B Register.

5. The point for consideration and decision are whether the concerned workmen are entitled to the relief by way of correction of the date of their birth mentioned in the Form B Register.

DECISIONS AND REASONS

6. The concerned workmen for the purpose of proving that the entries in respect of date of birth noted in the Form B Register prepared after nationalisation and merger of S. B. Section of Kendwadiah Colliery with Bahihari Colliery has adduced oral evidence by examining three witnesses including Baleshwar and Bhola Yadav two of the concerned workmen and also proved a note sheet as documentary evidence on their side. On the other hand the management has also adduced oral as well as documentary evidence by examining two witnesses and by proving certain documents such as Form B Register vide Ext. M-1 and Identity Card register vide Ext. M-2. The concerned workmen by examining themselves i.e. Baleshwar and Bhola Yadav and another named Nathu Prasad tried to depose in terms of their case as made out in their W.S. and rejoinder during their examination that all of them tried to depose that in fact a New Form B Register was prepared wherein the date of birth of Baleshwar were wrongly entered and shown as 1936 which WW-1 Baleshwar defected in the year 1987-88. The claim of this witness is that he approached the management for correction of the wrong entry in the Form B Register in respect of the year of his birth but to no effect for which he raised industrial dispute before the ALC (C), Dhanbad. During his cross-examination the witness who none but one of the concerned workmen has stated that he was appointed in South Bahihari colliery in the year 1965 but he was not in possession of any Form B showing his age/date of birth

name etc. while working in South Balihari Colliery before nationalisation. At the subsequent stage of his cross-examination he however admitted that he put his L.T.I. in the Form B Register but according to him prior to 1988 he could not know about the wrong entry of his age in that register or identity card register. The witness though claimed during cross-examination that there was no mention of the date of birth in the I. D. Card he was supplied but has not produced such I.D. Card for the purpose of showing the correctness of his claim. The witness has further denied the suggestion that the age recorded in the Form B Register newly prepared was correct for which he was suggested that he never raised any dispute prior to 1988. But the witness has denied the same. WW-2 another witness named Nathu Prasad. The witness has claimed that he represented the case of the concerned workmen to the management and as per claim of this witness the management assured that necessary correction of the date of birth of the concerned workman would be made. The witness has also proved photo copy of the note sheet vide Ext. W-1. This witness has claimed himself to be the Branch Secretary of R.C.M.S. but during his cross-examination the witness failed to say as to when the concerned workmen became member of the union. During cross-examination the witness admitted that new Form B Register was prepared in the year 1975 and that he had no knowledge if the concerned workman ever raised any dispute in respect of any entry in the new Form B Register prior to 1985 and ultimately the witness admitted that the dispute was raised before the ALC(C) in the year 1989. In concluding part of the cross-examination the witness has admitted that in fact he or the union has got no paper of East Indian Coal Co. Ltd. to show the particulars of date of birth of the concerned workmen. The evidence of this witness if taken as a whole in that case it can be said that in fact the evidence of this witness is of no help to the concerned workmen so far their claim for relief by way of correction of the date of birth entered in the new Form B Register is concerned. Lastly, WW-3 is another concerned workman Bhola Yadav. During his examination-in-chief the witness has claimed that at the time of initial appointment in East Indian Coal Co. Ltd. necessary form containing full particulars of the names, parentage date of birth etc. of the workmen were there in the register. The office of the company was situated at Khairi which is at present known as Kendwadih Colliery office and that the said form in the form of register is still lying in Kendwadih Colliery. I fail to understand how the witness can go to such an extent as concerned workman for which probably during cross-examination he had no other alternative but to say that he cannot exactly say whether the form mentioned during his examination in chief is still available at Kendwadih Colliery or not. In cross-examination the witness has also admitted that he had no knowledge if his date of birth was noted in the Form B Register prepared after nationalisation although he put his L.T.I. in such register and in the register of I.D. Card. During last part of his cross-examination the witness admitted that he never submitted anything in writing for correction of his date of birth in the new Form B Register or I.D. Card register although the witness has denied suggestion that his claim for correction of the date of birth in the Form B Register or identity card register is baseless.

7. On the other hand the management by examining MW-1 and MW-2 has tried to prove that the entries made in the Form B Register wherein LTI/signature of the different workmen were obtained after making them know of the entries made therein giving them opportunity to dispute correctness etc. and since no dispute was raised prior to 1989 the entries made in the new Form B Register and identity card register in respect of the concerned workmen were correct. The management has also proved certain documents as mentioned earlier by examining these two witnesses. These are the evidence adduced on the side of the respective parties. It is thus evident from the evidence adduced by the respective parties that in fact after preparation of the new Form B Register in respect of different employees including the concerned workmen they were allowed to know particulars of their name, address, date of birth entered in the new Form B Register and I.D. card Register for which the LTI/signature of different employees were taken in those registers. Had it been a fact that there

was any wrong entry in respect of the date of birth or age of the concerned workmen they must have raised such dispute much earlier without waiting till 1989. Much was submitted on the side of the workmen about Ext. W-1 which is a note sheet by Senior P.O. of Balihari colliery but careful perusal of the same will show the purpose or in connection with which the note sheet was prepared simply because there is something in the noting sheet favourable to the concerned workmen so far their claim by way of dispute is concerned. The exhibit cannot be utilised for that purpose only but it must be taken as whole and when the noting sheet was in connection with reference to BL/Age dispute Medical/88/1632 and as such without production of the correspondence referred to therein the said document Ext. W-1 is practically of no help to any of the concerned workmen specially in view of the evidence of WW-1 and WW-3 during their cross-examination. It has not been disputed that Form B Register is a statutory register. The presumption of the correctness as to the entries contained therein is there though rebutted but since the concerned workmen have failed to discharge the burden of proving the incorrectness of the entries contained in the Form B Register the presumption as to the correctness of the date of birth etc. of the concerned workmen in the Form B Register is still therein, and no award by giving direction to the employer to introduce any change in respect of any entry made therein can be passed. The result is that in view of the facts and circumstances of the case, the evidence oral as well as documentary on record and in view of what I have stated above the concerned workmen are not entitled to any order for correction of their age mentioned in the Form B Register or to any other relief as prayed for. The above point is thus disposed off.

8. Thus in view of my decision I cannot but hold that the demand of RCMS (INTUC) for treating the date of birth of Shri Bhola Yadav, Raghav Mahato and Baleshwar as mentioned in the reference is not at all justified and consequently the concerned workmen are not entitled to any relief.

This is my Award.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 5 मार्च, 1998

का.आ. 686.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. एयर इंडिया लि. के प्रबंधन के संबंधित नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-3-98 को प्राप्त हुआ था।

[सं. एल-11012/12/91-आई आर (विधि)/

आई आर (सी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 5th March, 1998

S.O. 686.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. Air India Ltd. and their workmen, which was received by the Central Government on 5-3-1998.

[No. L-11012/12/91-IR (Misc)/IR (C-I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 28/92

In the matter of dispute :

BETWEEN

Shri V. K. Sulekh through
The Secretary,
Air India Employees Sangh,
B-72-A Shakarpur,
Delhi-92.

Versus

The Management of Air India
through its Managing Director
through Personnel Manager,
Air India, Himalaya House,
Kasturba Gandhi Marg,
New Delhi.

APPEARANCES :

Shri V. K. Sulekh in person.

Miss Valarmati—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-11012/12/91-I.R. (Vividh) dated 13-3-92 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Air India, New Delhi awarding to Shri V. K. Sulekh, Traffic Assistant vide letter dated 18-7-89 by reduction to the minimum of scale of pay in the grade of traffic assistant is justified? If not to what relief the workman is entitled to?”

2. The workman in his statement of claim alleged that he was working as Traffic Assistant in the Commercial (Traffic) Department at I.G.I. Airport since 8-12-1983. He was charge sheeted on 6-3-89 for unauthorised absence from duty for a total period of 38 days between December, 87 to November, 88. He replied to the charge sheet and before receipt of his reply to the charge sheet an enquiry was ordered against him. His leave record was not produced during the enquiry. The Management failed to prove the unauthorised absence of the workman totalling 24 days. He had regularised most of his absence by getting his leave sanctioned from competent authority. His pay was reduced from Rs. 500 to Rs. 405. His punishment which was totally disproportionate to the charges levelled against him. The action of the management was causing undue financial hardship to him and his family members. He has prayed that the order of punishment awarded to him be quashed being totally disproportionate to the charges levelled against him. The management denied the allegations.

3. The Management denied the allegations made in the statement of claim and reiterated that the workman had absented and after conducting fair and impartial enquiry punishment was awarded to him by the Competent Authority.

4. The workman at the stage of arguments stated that he did not challenge fairness or propriety of the enquiry conducted against him but prayed that the punishment awarded to him was very harsh and a lenient view in the matter of sentence may be taken.

5. I have heard representatives for the parties and have gone through the record.

6. It has come on record that the absence from duty of the workman during the enquiry was not proved to be 61 days as originally alleged and as far 24 days his absence was not proved meaning thereby that the absence from the duty was much lesser days than alleged by the Management. The imposition of the punishment of reducing the pay of the workman to the minimum of the scale in the

grade of the Traffic Assistant, therefore, was not justified. I, therefore, order that the punishment of reducing the pay to the minimum of the scale is quashed and stoppage of one increment without retrospective effect for one year is substituted. Therefore the workman has undertaken to be regular in future and would not repeat any such thing in future. Keeping in view this situation the punishment awarded to him is accordingly modified. Parties are left to bear their own costs.

Dated : 27-2-1998

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.आ. 687.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैमर्स ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-3-98 को प्राप्त हुआ था।

[संख्या एल.-22012/14/92-आईआर(सी-II)]

लोली माऊ, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 687.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal. Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. E.C. Ltd. and their workman, which was received by the Central Government on 2-3-1998.

[No. L-22012/14/92-IR (C-II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 35/92

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of Tilaboni Colliery of M/s. E. C. Ltd.

AND

Their Workmen.

APPEARANCES :

For the Employer—Sri P. K. Das, Advocate.

For the Union—Sri M. Mukherjee, Advocate.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 12th February, 1998

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following

dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/14/92-IR (C-II) dated 8-9-1992.

"Whether the action of the management of Tilaboni Colliery, Bankola Area of E.C. Ltd., in dismissing their workman Shri Mogan Yadav, Surface Trimmer, Tilaboni Colliery, Bankola Area of E.C. Ltd., w.c.f. 23-2-89 is legal and justified? If not, to what relief the workman is entitled to?"

2. The representative of the union physically appears and submits that the union is no more interested with the dispute.

3. 'No Dispute Award' is passed accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.आ. 688.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैमर्स ई.सी.एल. के प्रबंधन के संबंध नियोक्ता और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक आंदोलन के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-98 को प्राप्त हुआ था।

[संख्या एन-22012/58/90-आईआर(सी-II)]

श्रीली माऊ, डेस्क आधिकारी

New Delhi, the 6th March, 1998

S.O. 688.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. E.C. Ltd., and their workman, which was received by the Central Government on 4-3-1998.

[No. L-22012/58/90-IR (C-II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 29 of 1990

PARTIES :

Employers in relation to the management of Toposi Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

PRESENT :

Shri R. S. Mishra, Presiding Officer.

APPEARANCES :

For the Employers—Shri P. K. Panl. Dy. Chief Personnel Manager.

For the Workmen—Shri Fani Bagchi, President, Khan Mazdoor Karmachari Union.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 18th February, 1998

AWARD

By Order No. L-22012/58/90-IR (C-II) dated the 11th July, 1990 the Government of India in the Ministry of

Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Toposi Colliery of M/s. Eastern Coalfields Ltd., P.O. Toposi, Dist. Burdwan in dismissing S/Shri Saharat Harijan and Ayodhya Mahato, Underground Loader and Clipman w.c.f. 15-1-80 is justified? If not, to what relief the concerned workmen are entitled to?"

2. Admitted facts :—

On 30th September, 1982 charges were issued to three employees named (i) Ayodhya Mahato (ii) Saharat Harizan and (iii) Hira Mahato working as Clipman, Loader and Loader respectively in Toposi Colliery. On identical allegations that on 29-9-82 at about 9.15 a.m. all three of them prevented the Agent, Sr. Personnel Officer and the Civil Engineer of the Colliery from proceeding towards the Colliery Office and were gharaced till 11.15 a.m. and that they also assaulted the Civil Engineer. On such identical allegations, all the three employees were charged with misconduct restraining public servant from attending/performing duty, abusing/assaulting superior and inciting violence. The charge-sheets were issued by the Manager of the Colliery. The charged employees submitted their replies. The management appointed an Enquiry Officer who ultimately submitted report of his enquiry. Although the Enquiry Officer found all the three employees equally guilty, Ayodhya Mahato and Saharat Harizan were given the punishment of dismissal from service whereas a lenient view was taken in respect of the third employee, namely, Hira Mahato and he was given punishment of suspension for only ten days i.e. from the period 8-8-85 to 19-8-85. Subsequent representations by both the dismissed employees to the management did not yield any result and hence the industrial dispute was formally raised by the union on behalf of the said dismissed workmen.

3. Hearing on the preliminary point i.e. regarding validity of the domestic enquiry was concluded and the said matter was disposed of vide order dated 2-9-1991 of the Tribunal. It was held that the domestic enquiry was not held properly and fairly and that the principles of natural justice were not followed by the Enquiry Officer. On such basis, under the same order of the Tribunal the domestic enquiry was found to be invalid and the Tribunal fixed the matter for full-fledged final hearing giving scope for fresh evidence to be led by the management and rebuttal evidence to be led by the union. In course of the final hearing, only two witnesses were examined on behalf of the management and they were the Civil Engineer and the Sr. Personnel Officer respectively, said to be victims of the alleged incident. The Agent of the Colliery who was also alleged to be one of the victims was not examined and the Manager of the Colliery who issued the chargesheet was also not examined as witness. On behalf of the union, five witnesses including both the dismissed employees were examined and the sum and substance of the evidence of all these five witnesses is that there was no such incident at all much less unruly action by the dismissed employees.

4. The cardinal principle in initiating disciplinary proceeding against an employee is that details of article of charge or statement of allegation in the charge and document/materials framing basis of the allegation must be furnished to the charged employee so that he would be able to get reasonable opportunity of defending himself appropriately in the disciplinary proceeding.

5. Here the disciplinary proceedings were initiated against all the three employees by issuing charge-sheets against them under the signature of the Manager of the Colliery. Admittedly, the Manager was not one of the victims of the alleged incident. The victims were said to be the Agent, Civil Engineer and Sr. Personnel Officer. The Manager of the Colliery who issued the charge sheets containing the allegations of wrongful restraint, gharao and assault, must have acted on some basis in issuing the charge-sheets. The

basis might be a complaint before him by the Civil Engineer and/or by the Senior Personnel Officer or might be a verbal/written intimation to him by the Agent. There is bound to be an initial version by somebody verbally or in writing reporting/informing the alleged incident, before the charge-sheet containing allegations can be issued. At least there would be a verbal instruction by the Agent of the Colliery informing the incident and instructing initiation of the disciplinary proceedings. The Manager also must have atleast made some noting in the related file, reflecting why and on what basis he was initiating the disciplinary action on such allegations. Those materials are very vital in as much as the same would give the first hand information in respect of the reported incident. Also as the same contains the first hand version of the victims regarding the incident, it is highly essential for the charge-sheeted employees in effectively cross-examining the said victims regarding their veracity. The same also amounts to basic material on which the allegations levelled in the charge, stand. But unfortunately the same has not been at all disclosed by the Disciplinary Authority, much less furnished to the charge-sheeted employees for their reasonable defence. It can be aptly said that there was suppression of basic material by the Disciplinary Authority. Only on this score, the disciplinary proceeding is bound to fail and any punishment, much less dismissal, on the basis of the disciplinary proceeding is not sustainable.

6. As the disciplinary proceeding totally fails and as the punishment awarded therein to the concerned workmen automatically stands set aside, they are bound to be reinstated forthwith, with continuity of service. However, it is found that there is absolutely no material to show that the concerned workmen were not gainfully employed after their dismissal and the workmen also do not say so. Hence, no entitlement to back wages.

7. In the result it is declared that the disciplinary proceeding is not sustainable and direction is hereby given that the concerned workmen, namely, Avadhya Mahato and Soharat Harijan be forthwith reinstated with continuity of service by the management of Tapasi Colliery. However, they would not get any back wages.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.आ. 689.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-98 को प्राप्त हुआ था।

[संख्या एल-22012/81/93-आई आर (सी-II)]

लोली माओ, डेस्क ऑफिसर

New Delhi, the 6th March, 1998

S.O. 689.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. E. C. Ltd. and their workmen, which was received by the Central Government on 4-3-98.

[No. L 22012/81/93-IR(C-II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 32 of 1993

Present :

Shri R. S. Mishra, Presiding Officer.

Parties :

Employers in relation to the management of Kunustoria Colliery of M/s. E.C. Ltd.

AND

Their Workmen

Appearances :

For the Employers : Shri P. Banerjee, Advocate.

For the Workmen : Shri Yar Mohammad, Organising Secretary of the Union.

INDUSTRY : Coal STATE : West Bengal

Dated, the 11th February, 1998

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 30 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/81/93-IR(C-II) dated the 17th June, 1993.

SCHEDULE

"Whether the action of the management of Kunustoria Colliery of E.C. Ltd., in denying category V wages to PBB attendent from the date of their employment to 1-1-90 and also denying the benefits of category V wages to Shri Siblal Majhi, Ch. Bimal Mahato, Shri Daroga Yadav and Shri Chota Harijan is legal and justified? If not, to what relief the workmen are entitled to?"

2. The reference reflects that the dispute is of two folds. The first part covers demand of all PBB Attendants (Pit Bottom Banker Attendants) of Kunustoria Colliery in general and the demand is for payment of Category 'V' wages to each one of them from their respective dates of employment as PBB Attendants till 1-1-1990. The second part covers such a demand by specific persons named in the reference. At the outset, the reference covering the first part of the dispute is not answerable, because date, such as, names of respective PBB Attendants and their respective dates of employment in this category are not furnished in the reference or by the union which has raised the dispute. Without such concrete data the first issue which concerns a general demand, becomes only academic in nature and even if the same is answered affirmatively i.e. favouring the general demand, the eventual award cannot be worked out.

3. Although the reference does not directly reflect that all the four persons named therein and who demand the Category 'V' wages are also PBB Attendants, it appears from the written statements and the rejoinder filed by the union that they also have been working as PBB Attendants. In fact, this has been categorically reflected/admitted in Para 2(i) and (j) of the rejoinder filed by the union.

4. Para 12.4 in Chapter XII of the NCWA-III contains provision for formation of different Committees for implementation of the said NCWA, the Standardisation Committee which was one of them, standardised nomenclature, job description and categorisation of workers in various grades, in the form of a book-let. Enacted in its meeting dated 29/30 April, 1986. It does not provide any job nomenclature like Pit Bottom Bunker Attendants, much less job description of such employees.

5. Any one would be inclined to ask, at what point of time, under whose authority and for which area such a category of employees was constituted? In this connection the written statement filed by the union and more particularly its para 2 which is quoted below, is of much relevance :

"That the workmen are loyal and obedient working since a very longtime. Taking undue advantage of their extreme loyalty the management illegally increased their workload which were performed by others. The management also changed their designation as P.B.B. attendant a new designation and never discussed by C.B. Award or by any N.C.W. Agreement."

Evidently it is also the union's contention that this special category of employees named PBB Attendant was separately and specifically constituted by the management.

6. The facts placed by the management in their written statement clarify the position fully. Para 4 of their written statement reflects that the system of underground transport of coal in Kunustoria Colliery has been mechanised. The system has been duly described in the said Para 4 of their written statement.

7. The management alleges that another union named Colliery Mazdoor Sabha of India affiliated to CITU, took up the cause of 20 persons doing different kind of jobs in the mechanised transport system in this colliery, sometime in the year 1988 and demanded higher category and related higher wages. The management further alleges that the Industrial Engineering Department of E.C. Ltd. made a full-fledged study of the system of underground coal transport in this colliery job requirements of workers working in this system and performance expected from them and that ultimately the management of E.C. Ltd. instructed the colliery level management to enter into a settlement with the aforesaid union. As a matter of fact, a copy of the Bi-lateral settlement so entered into by the colliery level management and the aforesaid union, has been filed. The present union which has raised this dispute denied

existence of any such settlement. But the fact that such a settlement was entered into and its genuineness have been duly established by affidavits filed by four officers of the management. There should not be any hesitation in accepting genuineness of the earlier settlement. It was entered into, as disclosed in the aforesaid affidavit sworn by the officers of the management, on 29-4-1990. But as per terms of the settlement it has been categorically made effective since 1-1-1990. As per this settlement, the PBB Attendants working in Kunustoria Colliery have been placed in Category 'V'.

8. It is understood from the available records that the job nomenclature of PBB Attendants and their categorisation in level 'V', came to be formally adopted in official records only through the aforesaid settlement. The settlement being made effective since 1-1-90, constitution of the category of workers named PBB Attendants, accordingly stands formally constituted since 1-1-1990.

9. Accordingly, the question of giving benefit to the workers working in this colliery before the date of its constitution i.e. 1-1-1990 does not arise. The workers specifically named in the reference, such as Shri Siblal Majhi, Ch. Bimal Mahato, Daroga Yadav and Chotela Harijan, have been also employees of this colliery and accordingly the question of any benefit to them for any period before 1-1-1990 does not arise.

10. In the rejoinder filed by the union it has been categorically admitted that since 1-1-90 the management placed these PBB Attendants including the aforesaid four persons in Category 'V'. The union attempted to make out a case through its averments made in the rejoinder filed by it that the reasons which compelled the management to give this benefit to these employees since 1-1-1990, provided good ground for extending similar benefit also for their service career before 1-1-1990. But such a case is not acceptable because the job nomenclature and its categorisation were made only on 1-1-1990, through the settlement, ruling out any scope for giving the said benefit for any prior period. Above all the general demand of the concerned employees regarding higher categorisation and higher wages having been once duly settled through the Bi-lateral settlement between the union which took up their cause earlier and the management, a further dispute by or on behalf of them is not entertainable.

11. There is no merit in the dispute raised by the union and the entire action of the management is quite legal and justified.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.आ. 690.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई.सी.एल. के प्रबन्ध तंत्र के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय

सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2/3/98 को प्राप्त हुआ था।

[संख्याएन-22012/140/93-आई आर (सी-II)]

लोली माऊ, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 690.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E. C. Ltd. and their workman, which was received by the Central Government on 2-3-1998.

[No. L-22012/140/93-IR (C. II)]

LOWLI MAC, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ASANSOL

Reference No. 41 of 1993.

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of
Jemehari (R) Colliery of M/S. E. C.
Ltd.

AND

Their Workmen.

APPEARANCES :

For the Employers : Shri P. Banerjee, Advocate.

For the Workmen : Shri Sunil Dey, Vice-President of the Union.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 10th February, 1998.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/140/93-IR (C. II), dated the 26th August, 1993.

SCHEDULE

"Whether the action of the Management of Jemehari (R) Colliery of E. C. Ltd., in deducting the wages amounting to

Rs. 13,648 (Rupees thirteen thousand forty eight only) from the salary of Shri Ram Pravash Prasad Singh, Sr. Overman, by making the date of promotion effective from 1-2-1979 instead of 1-9-1979 is legal and justified? If not, to what relief the concerned workman is entitled to?"

2. The admitted facts :—

The concerned workman was promoted from the level of Overman to the post of Sr. Overman vide order No. SAT/GM/PM/79/105/4, dated 13-12-79 of the management. The promotion was made effective from the back date 1-9-1979. This order was a combined one covering promotion of both Overmans and Mechanical Sirdars. Under a subsequent order being No. SAT/GM/PM/79/107/6, dated 19-12-1979, promotion from the level of Overman to the post of Sr. Overman, was made effective from a further back date i.e. 1st February, 1979 instead of the date 1-9-1979 as fixed under the earlier order. The date of annual increment in the pay scale of the concerned workman in the level of Overman was 1-3-1979, (so fixed with reference to Para (2-A) of Annexure-1 to NCWA-II). By working on the earlier order dated 13-12-1979, the basic pay in the promotional level of the concerned workman was fixed by the management at Rs. 848/- vide their order No. GMR/Agent/Sr. P. O./80/28, dated 10/12-1-1980. Sometime in the year 1985 a complaint was made by a person (by name Ramji Singh) senior to the concerned workman that in the promotional level of Sr. Overman he had been getting less wages compared to that of the concerned workman. While looking to this complaint, the management detected that the wage fixation in favour of the concerned workman under their aforesaid order dated 10/12-1-1980 was wrong in as much as this fixation was made by treating the date 1-9-1979 as date of promotion instead of 1-2-1979. After such detection, the management recalculated the alleged excess payment at Rs. 8691.40 p. and passed an order on 2-9-1989 to recover this amount in 12 equal monthly instalments.

3. The Union alleges that promotion to the level of Sr. Overman having been given by the management with effect from 1-9-1979, vide their order dated 13-12-1979, the management stands legally prevented from further anti-dating the effectual date to 1-2-1979, particularly because it carried the effect of depriving the workman from getting benefit of an annual increment in the lower level on 1-3-1979 before getting promotion on 1-9-1979, as per the earlier order.

4. The version of the management is that further anti-dating the effectual date of promotion to 1-2-79 was well within the power of the management and that fixation of wages in the promotional level has to be made from the date 1-2-1979. It is also their version that excess payment was made to the workman because the wage was fixed in the promotional level on 1-3-1979 wrongly. Although the management does not specifically say so it appears that the alleged wrong higher fixation was made because of an annual increment given in the lower level on 1-3-1979.

5 The legal position is well settled that the Tribunal can take the aid of statement of claim filed by the parties, to understand the real dispute between the parties, when the reference does not reflect the point on which the parties are at variance. The reference covers both deduction of an amount from the running salary of the workman and the question of further anti-dating the effectual date of promotion to 1-2-1979. The admitted facts narrated above and the respective versions of the parties reflect that the actual point of dispute is whether the management had the competency to further anti-date the effectual date of promotion from 1-9-1979 to 1-2-1979. The recovery of the alleged excess payment is only the result of the dispute and it does not form a part of the dispute. Once the basic dispute is settled this way or that way, the resultant action would be either changed or not changed.

6. Now coming back to the admitted picture behind the dispute, it should be emphatically taken note of that the date of annual increment in the pay scale in the lower level of the concerned workman was 1-3-1979. The order giving promotion to the level of Sr. Overman was issued on 13-12-1979. By this time the concerned workman had already earned his annual increment due to him in the pay scale of lower level on 1-3-1979. Although the promotion was made anti-dated, the wage position of the workman was not disturbed by this order dated 13-12-1979 because the effective date fixed under it was subsequent to the due date of annual increment in the lower level. Emphasis should be placed on the fact that the order giving promotion was issued on 13-12-1979 i.e. nine months after the workman got his entitled annual increment in the lower level. It is not permissible in law for an employer to unfairly affect the wages already accrued to a workman, in the guise of giving an anti-dated promotion. Increase in wages in the form of annual increment having been already accrued to the workman before the promotional order was issued, the wage fixation in the higher level in all fairness must be worked out on the basis of the wage already drawn by the workman. This is because law enjoins protection of wages rightfully accrued to or drawn by the workman. By a further anti-dating the effectual date of promotion to 1st February, 1979, the management may rather give the additional financial benefit of anti-dating the next date of annual increment to 1st February. But it is not at all permissible to the management to reduce the wage already accrued to and drawn by the workman in the lower level by notionally further anti-dating the date of promotion to 1-2-1979. Apart from that the management has totally failed to show what was the justification for the subsequent order dated 19-12-1979 further anti-dating the effectual date of promotion to 1-2-1979. It is not permissible for an employer to issue an unjustified order particularly if it has the effect of unjustly and unfairly affecting the rightfully accrued wages of a workman.

7. In any view, the management has no right or competency either to further anti-date the effectual date of promotion to 1-2-1979 or to make a consequential recovery of any amount from the workman.

The entire action of the management is totally unjustified.

8. In the result, the order by the management issued from the Office of the General Manager, Satgram Area on 19-12-1979 further anti-dating the effectual date of promotion to 1-2-1979 in respect of promotion of all Overmans given under earlier order dated 13-12-1979, is hereby set aside and direction is given that the date of their promotion to the level of Sr. Overman be treated as 1-9-1979 for all purposes. Direction is also given to forthwith re-pay to the concerned workman, named Shri R. P. Singh, Sr. Overman, any recovery already made from his salary as excess payment.

Award accordingly.

R. S. MISHRA, Presiding Officer.

नई दिल्ली, 6 मार्च, 1998

का.आ. 691.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मंसूबे बी.सी.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कार्यकारी के बीच अनुबंध में विद्विष्ट औद्योगिक विवाद से केन्द्रीय सरकार औद्योगिक अधिकरण, आसंसोल के पंचपट को प्रेषित करती है, जो केन्द्रीय सरकार को 4/3/98 को प्राप्त हुआ था।

[संख्या एल-22012/160/93-आईआर(सी-II)]

लोली माऊ, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 691.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 4-3-98.

[No. L-22012/160/93-IR CII)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 44 of 1993

PARTIES :

Employers in relation to the management of
Damagoria Colliery of B.C.C. Ltd.

AND

Their Workmen

PRESENT :

Shri R. S. Mishra,

Presiding Officer.

APPEARANCES :

For the Employers : Shri P. K. Das, Advocate.

For the Workmen : Shri M. Mukherjee, Advocate.

Industry : Coal. State : West Bengal.

Dated the 19th February, 1998

AWARD

By Order No. L-22012/160/93-IR (C.II) dated, the 1st September, 1993 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :-

SCHEDULE

"Whether the action of the management of Damagoria Colliery of M/s. B.C.C. Ltd., in not regularising Shri Achintya Kr. Maji as Statistical Clerk is justified? If not, to what relief is the concerned workman entitled to?"

2. The union alleges that the concerned workman was appointed as an Excavation Helper, but since 30-6-1989 he had been actually discharging functions of Statistical Clerk till 29-7-1992, having been directed by the Senior Excavation Engineer to do so. The union further alleges that the concerned workman represented the management for regularising him as a Statistical Clerk, but the management rejected his prayer on the false ground that the workman had been not at all authorised to discharge the function of Statistical Clerk. The last contention of the union is that the management ultimately issued a letter dated 26/29th July, 1992 directing the workman to go back to his previous place of Excavation Helper.

3. The version of the management is that the concerned workman was initially appointed as Excavation Engineering Mazdoor in Category-I on 5-2-1987 and subsequently he was brought to the level of Excavation Helper. The management further alleges that the workman was never authorised to work as Statistical Clerk and was never deployed against such a post. The management however admits that though the workman had not been discharging functions of Statistical Clerk, his case was referred to an Appropriate Committee to consider whether he could be regularised against the post of Statistical Clerk, but the Committee gave an adverse report as the workman did not satisfy required norms.

4. The points arising for consideration are :

- (i) whether the workman had been discharging functions of Statistical Clerk under due authorisation by the competent authority and
- (ii) whether such performance, if any, gives any right to the workman for being regularised against the post of Statistical Clerk.

5. The union filed some documents and also filed an affidavit containing statement of the workman supporting his claim. The union also summoned and examined the Senior Excavation Executive Engineer of the colliery to prove the photo copy of an official document.

6. One of the documents filed by the union is photo copy of a letter said to have been written under an illegible signature to the Deputy Personnel Manager of the colliery. It is mentioned in this alleged letter that the workman (Achintya Kr. Maji) had been doing the work of Log Book Clerk since 30-6-1989 onwards. But authenticity or genuineness of this document having not been established, it is of no significance. The trump-card used by the union is a written note by the Senior Excavation Executive Engineer to the Store Keeper of the colliery on 1-2-1990 instructing that entry in the Log Book regarding consumption of oil and lubricant by each equipment and actual consumption of the same should tally with the figure reflected in the Issue Register maintained by the Store. There is an endorsement in this document reflecting that its copy was sent to Achintya Kr. Maji (concerned workman) or Log Book Clerk. The solitary witness examined by the union is the Engineer himself.

For better appreciation his relevant evidence is quoted below :—

“I know the concerned workman named Achinta Kumar Maji. During that year I had seen the workman discharging the function of making entries in log book, which is a duty of a Statistical Clerk. The document marked W-3 is a written instruction issued by me under my signature during the said year 1990, with a copy endorsed to the concerned workman named Achintya Maji. In this endorsement he was described as Log Book Clerk because he had been discharging the function of Log Book Clerk.”

The Excavation Engineer admits in his cross-examination that in a Coal Mine Project only the Mine's Manager is the competent authority. He expresses his ignorance if there was authorisation from the competent authority to the workman for working as such. He says also that a Statistical Clerk has some other functions besides making entries in the Log Book.

7. Other documents filed by the union are of no utility in advancing the cause of the workman. The materials, discussed above, at best show that the concerned workman had been maintaining the Log Book. But as disclosed by the Excavation Engineer, a Statistical Clerk has some other functions also and the union has failed in satisfying that the workman had been discharging all the functions of a Statistical Clerk. The union has also failed in establishing that there was due authorisation by the competent authority i.e. Mines Manager for discharging the duty of maintaining the Log Book. The basis for claiming a right to the post of Statistical Clerk having not been established by the union, the demand for regularisation against the said post cannot be entertained.

8. In the result it is observed that the action of the management was justified.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.आ. 692 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4/3/98 को प्राप्त हुआ था।

[संख्या एन. 22012/293/92-आई आर (सी-II)]

लोली माऊ, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 692.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 4-3-1998.

[No. L-22012/293/92-IR (C. II)]

LOWLI MAO, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL.

Reference No. 12 of 1993.

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of Damagoria Colliery.

AND

Their Workmen.

APPEARANCES :

For the Employers : Shri P. K. Das, Advocate.

For the Workmen : Shri S. K. Singh, Branch Secretary of the Union.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 11th February, 1998.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/293/92-IR (C. II) dated the 25th January, 1993.

SCHEDULE

"Whether the action of the management of Damagoria Colliery in not giving promotion to Shri Ajij Alam to the post of Foreman-in-charge in Grade 'A' having the necessary skill and qualification is justified? If not, to what relief is the concerned workman entitled to?"

2. Admitted facts:—

The concerned workman, Ajij Alam and three others, namely, R. S. Sarkar, B. K. Mitra and Ayub Khan had been working as Foreman (Mechanical) in Grade 'B'. On 30-3-1991 a Departmental Promotion Committee examined the question of their promotion to the next higher level of Foreman-Incharge Grade 'A'. Three vacancies in the promotional level were available in the concerned colliery during the said year. The Departmental Promotion Committee placed the concerned workman named Ajij Alam in 4th position and accordingly he was not given promotion. The said workman is not yet promoted.

3. The union alleges that although the concerned workman had been working very efficiently with very good records, the management manipulated the promotional process for not promoting him, because of biased attitude against him due to his active participation in trade union's affairs.

4. The management's stand is that the Departmental Promotion Committee duly considered the concerned workman's case and that the allegation of bias and manipulation is totally false.

5. Implementation Instruction No. 38 dated 16-3-1981, issued with reference to NCWA-II, provides job description in respect of posts of Foreman (Mechanical) Grade 'B' and Foreman-Incharge (Mechanical) Grade 'A', in Annexure-I of the said Implementation Instruction. For better appreciation the job descriptions are quoted below :

Foreman (Mechanical) Grade 'B'

"A workman conversant with washing processes and equipments and be responsible for their operation and maintenance, including quality control. He should be able to guide men under his charge to carry out the maintenance and operation of the plant and maintain records thereof. He should be able to read elementary drawing and make sketches of engineering components. Cleaning and house keeping and the safety of men under the charge are also his responsibilities. He should be able to take full charge of Section/Sub-section in allotted shifts."

Foreman-Incharge (Mechanical) Grade 'A'

"A workman fully conversant with washing processes and equipments and be responsible for their proper operation and maintenance including quality control. He should have full knowledge of preventive maintenance and should be able to take complete

charge of the Plant/Section independently in his allotted shift. He should be able to carry out inspection of different equipments under his charge and plan preventive maintenance of equipments. He will be required to maintain records reports and other related documents. He will be responsible for the safety of men and equipments under his charge."

The nature of responsibility to be discharged by a Foreman-Incharge is not radically superior or different than the nature of responsibility to be discharged by a Foreman. The only difference between job requirements of both categories is that the work of Foreman-Incharge has greater element of supervisory work. The job of a Foreman is also to some extent supervisory because as per the requirement he should be able to take full charge of Section/Sub-section in allotted shifts. Both type of jobs are technical in nature. Required technical skill is such that general academic qualification has no practical relevancy to it.

6 Under order dated 6-11-1996 of the Tribunal, the management was called upon to produce all the records concerning the Departmental Promotion Committee meeting and CCRs of all the four persons, in pursuance of the said order the management placed the score-sheet prepared by the Departmental Promotion Committee and the CCRs. The management also produced a witness. He was a member of the Departmental Promotion Committee.

7. He has stated in his evidence that the Departmental Promotion Committee considered cases of six employees for promotion and prepared a chart under the signature of all the members including himself, marks on different aspects to each of the candidates. On reference to the score-sheet/chart, the witness further stated that as against the employee named B. K. Mitra who was given 3rd position by the Committee, the academic qualification "non-matric" had been noted in it. He clarified in his evidence that the Departmental Promotion Committee gave the description "non-matric" for appearing in matriculation examination and failing in it. On being cross-examined he stated that the Departmental Promotion Committee had called upon all the candidates to produce documents in support of their respective academic qualification, that the employee named B. K. Mitra produced only an Admit Card issued in his name for matriculation examination and that B. K. Mitra did not produce any other document. The witness also admits in his evidence that there is difference between "appearing in matriculation examination and failing in it" on one hand and "not appearing at all in the examination" on the other hand. He could not say whether the employee named B. K. Mitra was a regular candidate or a private candidate for the matriculation examination.

8. In this score-chart prepared by the Departmental Promotion Committee it has been endorsed that the full mark in "100" and that four different aspects are to be exercised by the Committee. Different marks are allotted to each

of the four aspects. For better appreciation the aforesaid norm endorsed in this score-chart is quoted below :—

“Full marks—100

(i) Seniority—40

(6 marks for each completed year of service).

(B) Qualification—20

(IMF|LEE

with SUP—20,

Matric with

I.T.I. or SUP—18,

Matric with

training—16,

Matric—15

(Non-matric—5 to 10

(C) Interview—20

(D) C.C.R.—20

(A-2, B-1, C-1).”

Now coming back to the qualification aspect described by the witness, who was a member of the Departmental Promotion Committee, the case of appearing in matriculation examination and failing in it was categorised by the Departmental Promotion Committee as “Non-matric”. The Departmental Promotion Committee has categorised the educational qualification of the candidate named B. K. Mitra as “Non-matric”, and has allotted 10 marks to him against the aspect concerning qualification. The scorings on above aspects allotted to B. K. Mitra and the concerned workman named Ajij Alam by the Departmental Promotion Committee are reproduced below :—

Name	Qualification	Date of present grade	Seniority	Qualification	Interview	CCR marks	Total mark
Ajij Alam.	Class VII	15-10-87	18	8	14	19	59
B.K. Mitra.	Non-Matric	15-10-87	18	10	12	20	60

9. As admitted by the member of the Departmental Promotion Committee in his evidence, there is difference between “appearing in matriculation examination and failing in it” on the one hand and “not appearing in the examination” on the other hand. It may be repeated that according to his own evidence all the candidates were called upon to produce their documents in support of their educational qualification and that B. K. Mitra did not produce any other documents except only one Admit Card issued in his name in respect of matriculation examination. Admit Card is nothing but written authorisation to the specific candidate to appear in the matriculation examination. It cannot reflect whether the candidate had actually appeared in the examination. Whether he really appeared in the examination can be known only from the mark-list issued to him or from the matriculation certificate if he passed in the examination. Evidently, the document produced by the candidate B.K. Mitra does not prove that he had appeared in the matriculation examination and had failed. The position being so the Departmental Promotion Committee committed error and impropriety in categorising B. K. Mitra’s educa-

tional qualification as “non-matric”, which according to their own version was the description given for appearing in examination but failing in it. The Departmental Promotion Committee should have ascertained upto which class B. K. Mitra studied and should have allotted marks accordingly. The action of the Departmental Promotion Committee in categorising the case of B. K. Mitra as “non-matric” and allotting 10 marks to him against the qualification aspect is thus totally improper and unjust.

10. The record produced by the management further reflects that C.C.Rs. only for one year in respect of each of the candidate were placed before the Departmental Promotion Committee. The member of the Committee who is examined as management’s witness, says in his evidence (para 3) that C.C.Rs. only for the preceding year in respect of each candidate were placed and considered in the Departmental Promotion Committee. According to his own admission in para 5 of his evidence it was desirable to consider C.C.Rs. of three years. The management does not explain why C.C.Rs. for other two years were not placed before the

Departmental Promotion Committee for its consideration. Therefore, the marking given by the Departmental Promotion Committee against C.C.R. aspect, also appears to be improper and unjust.

11. The candidate named B. K. Mitra, was given 3rd position and the concerned workman named Aji Alam was given 4th position by the Departmental Promotion Committee. Three vacancies in the level of Foreman In-charge (Grade-A) being available in the year of promotion i.e. 1991, the last person to be promoted was B. K. Mitra and the concerned workman was not promoted. For the reasons explained earlier the report of the Departmental Promotion Committee, is found to be improper and unjust and accordingly promotions given on its basis are not sustainable.

12. In such a situation the report by the Departmental Promotional Committee should be set aside with direction for re-consideration by a fresh Departmental Promotion Committee. As six years have already passed in the meanwhile, the administrative set up would be greatly up-set if such a direction is now given. The appropriate selection would be a direction to the management to immediately promote the concerned workman by upgrading his post to the level of Foreman Incharge (Grade-A) if no vacancy in the higher level is available and also to place his seniority above the candidate, named B. K. Mitra in the gradation list of Foremans Incharge (Grade A).

13. In the result it is declared that the action of the management of Damagoria Colliery is not giving promotion to the concerned workman named Aji Alam to the post of Foreman Incharge (Grade-A) is unjustified and direction is hereby given to the management to immediately promote Sri Alam to the post of Foreman Incharge (Grade-A) by upgrading his present post, if no vacancy in the higher level is available and to fix the seniority position of Shri Alam just above the employee named B. K. Mitra, in the gradation list of Foremans Incharge (Grade-A). However, it is hereby clarified that to avoid complicacies, no arrear financial benefit be given to Shri Alam.

Award accordingly.

R. S. MISHRA, Presiding Officer

मई दिल्ली, 6 मार्च, 1998

का.आ. 693.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-3-98 को प्राप्त हुआ था।

[संख्या एल. 22012/295/91—आई आर (सी-II)]

लौली माऊ, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 693.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. E.C. Ltd., and their workman, which was received by the Central Government on 2-3-98.

[L-22012/295/91-IR (C-II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 22/92

PRESENT :

Shri R. S. Mishra,

Presiding Officer

PARTIES :

Employers in relation to the management of Bonjemchari Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

APPEARANCES :

For the Employer—Sri P. K. Das. Advocate.

For the Workmen : None.

Industry : Coal. State : West Bengal.

Dated, the 11th February, 1998

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012|295|91-IR(C.II) dated 21-5-1992.

"Whether the management of Eastern Coalfields Ltd., Santoria, P.O. Dishergarh, Dist. Burdwan (WB) having its O.C.Ps at Chitra and Bonjemehari in placing Shri Santanu Sarkar Dozer Shovel Skipper Operator in Execv. Gr. C. w.e.f. 23rd January, 1982 as also not upgrading him in Execv. Gr. A from 1985 at par with similar other workmen was legal and justified. If not to what relief the concerned workman was entitled and from what date?"

2. The union neither appears nor takes any step. Apparently no more interested with the dispute.

3. Hence :No Dispute Award is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.आ. 694.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, आसंसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-3-98 को प्राप्त हुआ था।

[संख्या एल-22012/305/92-आई.आर. (सी-II)]

लौली माओ, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 694.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.C.C. Ltd. and their workman, which received by the Central Government on 2-3-1998.

[No. L-22012|305|92-IR(C.II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 17 of 1993

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of Begunia Colliery of B.C.C. Ltd.

AND

Their Workmen

APPEARANCES :

For the Employers : Shri P. K. Das, Advocate.

For the Workmen : Shri Lala Shadedo Prasad, Joint Secretary of the Union.

Industry : Coal. State : West Bengal.

Dated, the 9th February, 1998

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012|305|92-IR(C.II) dated the 23rd February, 1993.

SCHEDULE

"Whether the action of the management of Begunia Colliery of M/s. B.C.C. Ltd., in not referring Shri Kariman Kurmi to Apex Medical Board as per 9:4:3 of NCWA-IV for certification of his debility in time and thereby superannuating him w.e.f. 6-1-90 is justified? If not, to what relief is the concerned workman entitled to?"

2. The provision in Para 9:4:3 of NCWA-III has been utilised by the union for raising the dispute, the real aim behind which is to secure a job for the son of the concerned workmen.

3. The admitted facts are as follows: —

Towards the fag end of the service career of the concerned workman, a plea was raised by him that his recorded age was not correct and on representation by the union his case was referred to Apex Medical Board for assessment of his age. The Board vide their letter No. BCCL : CMO : MB : 90 : 2990 dated 11-1-1990 reported their assessment that the age of the concerned workman was 59 years as on 5-1-1990. Obviously his due date of superannuation was 6-1-1990. The workman had been carrying on with an old spinal chord problem. Sometime after the date of superannuation was finally clinched by the Medical Board i.e. on

25-7-90, the workman approached the out-door patients Department of the Company's hospital, with the complaint of pain in spinal chord. He was treated on 28-7-90, and in the prescription, the Doctor advised that the workman be given some lighter job. On 31-10-90 the workman again approached to the Out-door Patients Department of the Hospital and this time the concerned Doctor endorsed in the prescription that the workman should be referred to the Apex Medical Board to consider change of occupation of the workman. There was another approach to the Medical Department of the Hospital by the workman on 28-11-90 and in the connected prescription the Doctor advised for strict bed rest. Before approaching the Out-door Patients Department for the first time i.e. 25-7-90, the concerned workman gave an application to the Company by referring to the provision in para 9:4:3 of NCWA-III, for retiring him on the ground of disability and for giving employment to his son in his place. However, this application was given in April, 1990 i.e. after the issue regarding date of superannuation was clinched by the Medical Board. On the basis of this application the concerned workman was examined by the connected colliery level committee and the Committee reported on 20-6-90 for examination by Apex Medical Board on the ground that as per their opinion the workman might not be able to do his duty due to "defective vision and osteoarthritis of his spine". The workman, however, was not examined by the Apex Medical Board and he was given due superannuation on 6-1-90.

4. The Union alleges that the Company deliberately did not arrange examination of the workman by the Apex Medical Board after the aforesaid report on 20-6-90 by the Colliery Level Committee, lest the Board would give a report favouring the workman and that because of such deliberate omission by the Company, the report dated 20-6-90 by the Colliery Level Committee should be acted upon for invoking para 9:4:3 in favour of the workman.

5. The management in their written statement allege that the disputed matter of disability of the workman was referred to the Apex Medical Board on 20-11-90, but before the Medical Board could make a sitting for examining the workman, his date of superannuation came and accordingly he was superannuated on 6-1-90.

6. One admitted point which needs to be highlighted is that the alleged injury or disease of the concerned workman was not a recent one and it was a constant problem in spinal chord arising out of an accident reportedly met by him before nationalisation of coal mines in 1973. The workman opted to utilise his alleged spinal chord problem for the first time in April, 1990 i.e. nearly three months after the Apex Medical Board clinched the issue of the date of superannuation, for seeking retirement on the ground of disability, and for seeking a job for his son. The available materials admittedly clarify that due superannuation was given on 6-1-90 and that there was in fact no loss of employment for the workman. Para 9:4:3 of NCWA-III postulates two conditions, the first one being that the

disablement of the workman should arise from injury or disease, be of a permanent nature resulting in loss of employment and to be so certified by the Company. The foundation of this beneficial provision is loss of employment which should be certified by the Company. Without such of certified loss of employment, the question of invoking the provision in Para 9:4:3 of the NCWA-III does not arise.

7. There was no loss of employment for the workman. The timing for the attempt by the concerned workman in seeking benefit of this beneficial provision is such that one would wonder whether there was real disability or whether it was a baseless attempt for seeking a job for the son after enjoying employment benefit for almost the full length of service career.

8. No ground for any relief to the concerned workman. It is accordingly awarded that there is no merit in the reference.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.प्रा. 695.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई.सी.एल. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निविष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4/3/98 को प्राप्त हुआ था।

[संख्या एल-22012/309/93/आई.प्रार. (सी-II)]

लोली माऊ, डैस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 695.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s E.C. Ltd. and their workman, which was received by the Central Government on 4-3-1998.

[No. L-22012/309/93-IR (C-II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 3 of 1994

PARTIES :

Employers in relation to the management of Mithani Colliery of M/s. E.C. Ltd.,

AND

Their Workmen.

PRESENT :

Shri R. S. Mishra, Presiding Officer.

APPEARANCES :

For the Employer—Shri P. K. Das, Advocate.

For the Workmen—Shri Madhu Banerjee, President of the Union.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 18th February, 1998

AWARD

By Order No. L-22012/309/93-IR (C-II) dated, the 21st January, 1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of Sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

SCHEDULE

"Whether the action of the management of Mithani Colliery in superannuating Shri Yusuf Khan w.e.f. 1-7-87 without referring him to Age Determination Committee is justified? If not, to what relief is the concerned workman entitled to?"

2. Admitted facts :—

The concerned workman came on transfer to Mithani Colliery from Bejdih Colliery prior to nationalisation of coal mines. In the L.P.C. issued by Bejdih Colliery at the time of his transfer, the year of his birth was noted as 1927. On its basis the date of birth of the concerned workman was recorded as 1927 in Form 'B' Register maintained by Methani Colliery. In pursuance of Implementation Instruction No. 76, service extract incorporating the year of birth (1927) in respect of the workman was prepared and issued to him. He raised a protest that as per P.F. records his date of birth was 1934.

3. The union now alleges that as per the procedure provided in the said Implementation Instruction No. 76, such disputed cases of age, should be referred to the Medical Board for determination of age through medical examination. The union further alleges that contrary to such guideline, the management did not refer his matter to the Medical Board and instead sent him to a Special Cell which was not an authorised body. It is also their allegation that the management unduly superannuated the workman on 1-7-87 without following due guideline.

4. The management's version is that as per guidelines given in the Implementation Instruction, it is for the management to decide merits in each of the disputed cases and only such matters are to be referred to the Medical Board in respect of which there is some merit, to the satisfaction of the management. It is also their version that Special Cell was constituted to look to such disputed claims including the claim raised by the concerned workman, but on the basis of records/proof produced by the workman before the Special Cell, it was found by the Cell that the disputed claim had no merit at all and accordingly his matter was not referred to the Medical Board. The management admits that accordingly the workman was superannuated on the basis of the date of birth noted in the Form 'B' Register.

5. The guideline regarding review/determination of date of birth in respect of existing employees laid down in the Implementation Instruction No. 76 says that the age recorded in matriculation certificates or higher secondary certificates or middle school passed certificates issued by the appropriate specified authorities and age recorded in Admit Cards issued by such bodies should be treated as correct. It also says that date of birth recorded in Mining Sirdarship Certificates or similar other statutory certificates should also be treated as authentic and that if there is variation between the school certificates and statutory certificate, the age recorded in school certificate should be treated as authentic. The Implementation Instruction also provides that in case of employees whose date of birth cannot be determined with reference to the above-mentioned certificates, the date of birth noted in the records of the company, namely, Form 'B' Register, CMPF records and untampered Identity Cards should be treated as final and where there is variation in the age noted in the aforesaid records the matter will be referred to the Age Determination Committee/Medical Board constituted by the management for determination of age. It is also the stipulation in the said Implementation Instruction No. 76 that where there is no variation in records, such case will not be reopened unless there is a very glaring apparent wrong

entry brought to the notice of the management and that after being satisfied on merit of the case, the management will take appropriate action for correction through Age Determination Committee/Medical Board.

6. The guideline clearly stipulates that the management after being satisfied on merits of each case, will take appropriate action for correction through Age Determination Committee/Medical Board and it is contained in Para (B)(ii) of the Implementation Instruction. The management, therefore, was within its right for constituting a Special Cell to examine merits of each disputed claim including the claim made by the concerned workman. The report of the Special Cell was sent on 17/18-6-1987 and a copy of the same has been duly filed by the management. The report is very specific that the employees named in Para (B) of the report could not produce any material in support of the objections raised by them against service record extracts concerning dates of birth. The name of the concerned workman finds place at serial No. 37 of the list of employees. As the workman concerned could not show existence of any merit in the claim raised by him, the management (which operated through the Special Cell constituted by it for this purpose), was rightly justified in coming to the conclusion that there was no merit in the claim, thereby being unfit for reference to the Medical Board or Age Determination Committee. Even now also no material is available which can show that in the P.F. records, date of birth of the concerned workman has been noted and that the noting is to the effect that it is 1934.

7. There is no merit in the dispute raised by the union and the action of the management appears to be fully justified.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.आ. 696—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई.सी.एल. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-98 को प्राप्त हुआ था।

[संख्या एल-22012/356/92-आई.आर. (सी-II)]

खोली माऊ, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 696.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. E.C. Ltd., and their workman, which was received by the Central Government on 4-3-1998.

[No. L-22012/356/92-IR (C-II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 19 of 1993

PARTIES :

Employers in relation to the management of Parascole (East) Colliery

AND

Their Workmen.

PRESENT :

Shri R. S. Mishra, Presiding Officer.

APPEARANCES :

For the Employers—Shri P. Banerjee, Advocate.

For the Workmen—Shri M. Mukherjee, Advocate.

INDUSTRY : Coal STATE : West Bengal
Dated, the 19th February, 1998

AWARD

By Order No. L-22012/356/92-IR (C-II) dated 3-3-1993 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Parascoll (East) Colliery under Kajora Area of M/s. E.C. Ltd. in dismissing Sri Sudhir Singh, U.G. Loader of Parascoll Colliery vide their letter dated 5-7-91 is justified? If not, to what relief the workman is entitled to?"

2. Admitted facts :—

The concerned workman had been working as an U/G Loader. He remained absent from his duty since 9-9-90 continuously without giving any intimation to his superior, much less taking leave. On 7-1-1991 a chargesheet was issued against him for misconduct in remaining unauthorisedly absent like this, till the date of issuing chargesheet. On 9-1-1991 the concerned workman submitted a reply mentioning that because of sudden and sad death of his daughter, he could not attend his duty. He admitted his mistake in not given any intimation and prayed for being excused. The management appointed an Enquiry Officer to conduct an enquiry. In spite of notices issued by the Enquiry Officer to the concerned workman, he did not attend the enquiry and so the enquiry was held ex-parte. In course of it, three witnesses were produced by the management. The first witness was a Clerk of the Personnel Department of the Colliery. He produced Attendance Register which showed that the concerned workman had been continuously absenting from 9-9-1990. He also produced Attendance Register of the year 1989 and in respect of the month of January to August, 1990. The Attendance registers disclose that the concerned workman had worked for only 77 days, in 1989 and only for 17 days during January to August, 1990. The second and third witnesses were Clerks Incharge of leave Section of the Colliery. They proved that the workman remained continuously absent from 9-9-1990 without applying for leave and without even giving any kind of examination. The Enquiry Officer submitted his report finding the workman guilty of the charge brought against him. On consideration of the same the management awarded punishment of dismissal on 5-7-1991.

3. The union alleges that on 8-9-1990 the workman received intimation about sudden death of his daughter in his native village and that he suddenly rushed to his village after requesting some of his co-workers to intimate the fact to the management. The union also alleges that sudden death of the daughter caused mental depression of the workman. As a result of which he could not do anything and that on 8-1-1990 when the workman came to join his duty, he was not allowed to do so and instead a charge-sheet was served upon him.

4. The version of the management is that the workman had been in the habit of absenting from duty and that the misconduct in remaining continuously absent from 9-9-1991 without even giving any kind of intimation to the authority, was very serious, warranting the punishment of dismissal.

5. The question of validity or invalidity of the enquiry proceeding was examined and disposed of vide order dated 26-11-1997. Hearing on this preliminary point revealed that in spite of sufficient notices, the workman did not attend the enquiry. No invalidity or infirmity was found with the enquiry proceeding and so final hearing was taken up

on the basis of the material placed before the enquiry proceeding. Continuous unauthorised absence from 9-9-1990 stands duly established by the materials placed before the Enquiry Officer and in fact the same has been also admitted by the workman in his reply to the charge. That there was no intimation by him to the management for remaining ad en is also duly established by the materials and even admitted by him. Of course there was no separate charge against the workman for the allegation of remaining habitually absent from duty. But the Disciplinary Authority could look to the general conduct of the workman, reflected by Official records, in deciding the quantum of punishment to be inflicted in a disciplinary proceeding. On consideration of all aspects it appears that the punishment of dismissal was not unjustified. No scope for any interference with the punishment of dismissal.

6. Answer to the reference is that the action of dismissal was not unjustified.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 6 मार्च, 1998

का.अ. 697—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में श्री सी. सी. एल. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं-2) धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-3-98 को प्राप्त हुआ था।

[सं.एल. 20012/182/92-आई.आर.(सी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 6th March, 1998

S.O. 697.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 6-3-1998.

[No. L-20012/182/91-IR(C-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD**

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 167 of 1991

PARTIES :

Employers in relation to the management of Muraidih Colliery of M/s. Bharat Coking Coal Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : None.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 26th February, 1998

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/182/91-I.R. (Coal-I), dated, the 9th December, 1991.

SCHEDULE

"Whether the management of Muraidih Colliery in Barora Area I of M/s. B.C.C. Ltd., is justified in not paying full wages to Shri Niranjana Thakur Haulage Operator for the period from 24-1-88 to 13-4-88 ? If not, to what relief the said workman is entitled?"

2. Soon after the receipt of the order of reference from the Ministry of Labour notices were duly served upon the parties. But both the parties neither appeared nor took any steps. Then again notices were issued to them but inspite of the issuance of notices to them they neither appeared nor took any steps. It therefore leads me to an inference that presently there is no dispute existing between the parties. In the circumstances, I have no other alternative but to pass a 'No dispute' Award in this reference.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 10 मार्च, 1998

का.भा. 698.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईस्ट भगतदीह कोलियरी आफ सी.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2 धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-3-98 को प्राप्त हुआ था।

[एल-20012/213/92-आईआर (कोल-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 10th March, 1998

S.O. 698.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of East Bhuggatdih Colliery of C.C.L. and

their workman, which was received by the Central Government on 6-3-1998.

[No. L-20012/213/92-IR(Coal-I)]

AJAY KUMAR, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.
In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 100 of 1993

PARTIES :

Employers in relation to the management of
East Bhuggatdih Colliery of M/s. B.C.C.
Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : None.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 27th February, 1998

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/213/92-I.R. (Coal-I), dt. the 27th July, 1993.

SCHEDULE

"Whether the action of the management of East Bhuggatdih Colliery of Kustore Area, M/s. Bharat Coking Coal Ltd. is justified in superannuating Shri Kanhai Gope w.e.f. 8-12-90 when date of birth is in March, 1937 as per C.M.P.F. record and superannuation age is 60 years ? If not, to what relief the workman is entitled?"

2. Soon after the receipt of the order of reference notices were duly served upon the parties. But none of the parties turned up nor took any steps. Then again notices were issued to them but inspite of the issuance of notices to them they neither appeared nor took any steps. It therefore leads me to an inference that presently there is no dispute existing between them. In the circumstances, I have no other alternative but to pass a 'No dispute' Award in this reference.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 12 मार्च, 1998

का.आ. 699.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एयर लाईन्स के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-3-98 को प्राप्त हुआ था।

[एल-11012/16/96-आई.आर. (कोल-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 12th March, 1998

S.O. 699.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Airlines and their workman, which was received by the Central Government on 11-3-98.

[No. L-11012/16/96-IR (Coal-I)]

AJAY KUMAR, Section Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 120/97.

In the matter of dispute between:
Shri Jagdish s/o Shri Mukand,
10/47, Trilokpuri,
Delhi-91.

Versus

The Manager,
Indian Airlines,
I.G.I. Airport,
New Delhi.

APPEARANCES :

None for the workman.

Shri Alok Chatterjee for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-11012/16/96-I.R. (C-I) dated 13th August, 1997 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the demand of Shri Jagdish, Ex-Sweeper that his services be reinstated by the management of Indian Airlines is legal and justified? If so, to what relief is the workman entitled?”

2. The workman in this case appeared on 10-2-98 after he was given registered notice 3-4 times. He was asked to file statement of claim on 27-2-98. On that date again the workman absented not filed statement of claim. It appears that he was not interested in pursuing this dispute. No dispute award is given in this case leaving the parties to bear their own costs.

9-3-98

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 मार्च, 1998

का.आ. 700.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन आयल कार्पो. लि. (रिफाइनरी डिविजन) कलकत्ता के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-3-98 को प्राप्त हुआ था।

[सं. एल-30011/22/93-आई.आर. (मिस.)/कोल-I]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 12th March, 1998

S.O. 700.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Oil Corp. Ltd. (Refinery Divn.) and their workman, which was received by the Central Government on 9-3-98.

[No. L-30011/22/93-IR (Misc.)/Coal-I]

AJAY KUMAR, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 12 of 1995

Parties :

Employers in relation to the management of Indian Oil Corporation Ltd. (Refinery Division), Calcutta.

AND

Their Workmen

Present :

Mr. Justice A. K. Chakravarty, Presiding Officer.

Appearance :

On behalf of Management : None.

On behalf of Workmen : Mr. N. C. Naskar,
General Secretary of the Union.STATE : West Bengal INDUSTRY : Petroleum
AWARD

By Order No. L-30011/22/93-IR(Misc)|(Coal-I) dated 1-6-1995 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Indian Oil Corporation Ltd., not allow one additional holiday to the employees of I.O.C. (RD), 9, Syed Amir Ali Avenue, Calcutta-17 is justified? If not, to what relief, the employees are entitled?"

2. When the case is called out today for hearing, none of the parties appear nor any step is taken by them inspite of service of notice. It is accordingly clear that the parties are no longer interested in the matter.

3. In the aforesaid circumstances, in the absence of any material on record for any decision of the issue under reference, this Tribunal has no other alternative but to pass a "No Dispute" Award in this case.

4. A "No Dispute" Award is accordingly passed and the reference is disposed of.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer
Dated, Calcutta,

The 2nd March, 1989.

नई दिल्ली, 11 मार्च, 1998

का.आ. 701.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ हैदराबाद, वारंगल के प्रबंधन के संबद्ध मिजोजनों और उनके वर्मकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, 1, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-3-98 को प्राप्त हुआ था।

[संख्या एन-12012/4/95-आईआर(बी-1)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 11th March, 1998

S.O. 701—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal-I, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Hyderabad, Warangal and their workman, which was received by the Central Government on the 10-3-98.

[No. L-12012/4/95-IR (B-I)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT :

Sri. V. V. Raghavan, B.A., L.L.B., Industrial Tribunal-I,
Dated, 12th day of February, 1998

Industrial Tribunal No. 24 of 1996

BETWEEN :

Sri. A. Ravinder, C/o. Dr. Pothukuchi,
Sambasiva Rao, Advocate,
H. No. 6-3-195, N. Boiguda,
Secunderabad-3

Petitioner

AND

1. The Regional Manager, S.B.H.,
Region-I, Zonal Office,
Warangal/Branch Manager,
State Bank of Hyderabad,
Torrur Branch, Torrur,
Warangal-506 002.

2. The Branch Manager, S.B.H.,
Torrur Branch, Torrur Warangal-2 .. Respondents

APPEARANCES :

Sri P. Sambasiva Rao, advocate—for the petitioner.
Sri. A.V.S.S. Prasad, advocate—for RI and R2.

AWARD

The Government of India, Ministry of Labour, New Delhi referred the following dispute for adjudication through its Order No. L-12012/4/95-IR(BI) dated 29-3-96 u/s. 10(1)(d) of the ESI Act to this Tribunal.

"Whether the management of State Bank of Hyderabad Torrur Branch, Warangal Dist. is justified in terminating the service of Shri A. Ravinder, Ex-Peon w.e.f. 17-5-90? If not, what relief the workman is entitled to?"

Both the parties appeared and filed their pleadings.

The workman filed a claim statement contending as follows :

The petitioner worked in the Torrur Branch of State Bank of Hyderabad as an employee from 17-1-86 to 17-5-90. He was paid Rs. 10 per day on monthly basis with additional emoluments. The petitioner served for 5 years and has become permanent employee of the State Bank of Hyderabad. The respondent management terminated the petitioner services on 17-5-90 and it is illegal. The petitioner sent a legal notice dated 13-5-91 but no reply is given. The petitioner was not reinstated inspite of request. His juniors are continued in service. Hence, an Award may be passed declaring that the termination of the service of the petitioner as illegal and order for reinstatement with back wages and attendant benefits.

3. The respondent filed a counter contending as follows :—

The allegation that the petitioner worked continuously from 17-1-86 to 17-5-90 for 5 years as temporary peon on daily wages is false. The petitioner was engaged as a temporary peon on casual basis as and when the need arose. His services were utilised for a period of 90 days in the years 1986 and 1987 on different days during which the petitioner was paid daily wages on prorata basis. The petitioner was asked to attend to some menial works such as attending to Lunch Room duties, setting of records, etc., which involved hardly an hour's job per day. The amount of Rs. 10/- per day was paid to him for attending such jobs whenever his services were engaged by the bank on those days. He was neither given an appointment order nor

any termination order. The Government of India issue instructions on 6-8-90 to absorb qualified persons who have put in minimum temporary service of 90 days or more after 1-1-1982. So an advertisement was given in the local newspapers on 2-8-91 calling for application from temporary employees. The petitioner also applied for the same. The petitioner and 1172 others were interviewed in February and March '92. The petitioner is not selected as he has put in 90 days service only. Other temporary candidates 605 in number were selected and a select list was prepared. They are being absorbed as and when the vacancy arose. About 334 candidates are absorbed and still there are 271 candidates. Hence, the petitioner is not entitled to any relief.

4. The petitioner examined himself as WW1. He filed Ex. W1 legal notice. The respondent management examined the present Dy. Manager in Torur branch, the Dy. Manager in the Personnel Department of Head Office and Dy. Manager Inspection Department who was the member of the selection committee as MWs 1 to 3. They exhibit Exs. M1 to M8.

5. The points for consideration are :—

- (1) Whether the petitioner is a workman ?
- (2) Whether the failure of the respondent to engage him amounts to retrenchment ?
- (3) Whether the petitioner ought to have been selected in pursuance of the advertisement of the bank; and
- (4) To what relief ?

6. Point 1 : The admitted facts of the case are as follows :

A Branch of State Bank of Hyderabad was opened at Torur. Whenever the regular dethari or peon applied for leave, the petitioner was appointed on daily wages on those days and he was paid wage equivalent to the wage of the Dasthary divided by the number of days in the month. He worked for 90 days as such in 1986 and 1987. The said days are also noted in Ex. M3 Casual Wages Pay Register.

7. The petitioner further deposes that he worked from 1987 to 1990 also and was paid daily wages continuously. The respondent admits that the petitioner worked upto 1990 but pleads that he did not work on daily wage but he has attended to some part time job from 1987 to 1990. The averments in the counter affidavit are as follows :

"I further submit that in addition to the above 90 days the petitioner used to attend to some menial works such as attending to Lunch Room duties, setting of records etc., which involved hardly an hour's job per day. An amount of Rs. 10/- per day was paid to him for attending to such jobs whenever his services were engaged by the bank on those days."

MW1, the present Dy. Manager of Torur Branch deposes "He worked on other days also but for half an hour or one hour. He was paid about Rs. 10/- per day on these days." In cross-examination, he admitted as follows :

The petitioner was working from 5 years i.e. from 1986 to 1991 occasionally. He did work from morning to evening for 90 days in 1986 and 1987. He worked for half an hour or one hour on some days between 1988 and 1991. I did not have any record for the work done by him between 1987 to 1991. He denied suggestion that the petitioner worked for full day and continuously from 1986 to 1991 also and he was paid full wages. He filed Ex. M3, the wages register for casual labour for the period from 1-3-86 to 6-3-87. He did not file the similar registers from 15-3-87 to 1992. It was suggested to him that the wage registers were suppressed intentionally. They preserve the registers after 10 years as per the rules, but he did not

produce the casual wage employees register from 15-3-87 to 1992, though his evidence is recorded on 1-12-97. He comes with a version that building of the branch was renovated in 1997 and 1996, and some records were mis-placed at that time. When the Bank pays some small amounts like Rs. 10/- or so for casual work, it obtains petty cash vouchers from the concerned workmen. The said petty cash vouchers are also not filed into court. MW2 also admits that the petitioner might have worked on some more days attending odd jobs under petty cash vouchers. The fact that besides the above 90 days, the petitioner worked for 630 days more upto 26-2-92 on petty cash vouchers is noted in Ex. M6 the interview sheet prepared for absorption of temporary employees when the petitioner was interviewed on 28-2-92. Thus, the petitioner worked for more than 240 days in an year. The Supreme Court held in 1986(1) LLJ page 127 *Shri H. D. Singh vs. Reserve Bank of India*, and others that in the absence of any records produced by the Bank, the case of the employee that he has worked for more than 240 days has to be accepted as true. When once the petitioner worked for 240 days, it amounts to working for one year u/s. 25(B) of the I.D. Act and is a workman. He cannot be retrenched without following Sec. 25F of the I.D. Act. The question as to whether a person who worked on piece rate basis like the petitioner who worked for few hours in a day for 630 days is also a work was considered in AIR 1974 Supreme Court page 37 *Silver Jubilee Tailoring House and others, Appellants vs. Chief Inspector of Shops and Establishments and Another, Respondents*. The Supreme Court held as follows :

"The fact that the employees take up the work from other tailoring establishments and do that work in the shop in which they generally attend for work and that they are not obliged to work for the whole day do not militate against their being employees of the proprietor of the shop where they attend for work."

This decision was reiterated by the Supreme Court in 1983 Lab. I.C. 1509 *M/s. Shining Tailors, Appellant vs. Industrial Tribunal II, U.P., Lucknow and others, Respondents*, as follows :

Tailors working on piece rate basis in a big tailoring establishment are workmen of the owner of the establishment. Every piece rated workman is not an independent contractor. Piece rate payment meaning thereby payment correlated to production is a well-recognised mode of payment to industrial workmen. The employer's right to reject the end product if it does not conform to the instructions of the employer speaks for the element of control and supervision. So also right of removal of the workman or not to give the work has the element of control and supervision. The right of rejection coupled with the right to refuse work would certainly establish master servant relationship. AIR 1974 SC 37, Poll.

The Kerala High Court held in 1971 Lab. I.C. 811 *M/s. Radhakrishna Umbrella Factory Allappu and others vs. Industrial Tribunal Allappu and others* and 1977 Lab. I.C. 1673 *Kerala Calicut Mordum Spinning and Weaving Mills vs. Industrial Tribunal that Casual Labour carrying umbrellas and textiles from lorries to godowns etc. for few SHROs a day are also workmen under the I.D. Act*. Similarly the Madras High Court held that *Tiny Deposit Collection Agent is a workman in 1990 II LLJ page 50*. (The Management of Indian Bank vs. Presiding Officer, Industrial Tribunal, Central Madras and another). The Supreme Court in AIR 1957 page 264 *Dharenadhara Chemical Works Ltd. Vs. State of Sikkim* and others held that *scarias who prepare salt within the premises of the salt factory and paid for the salt prepared are the workmen and not contractors*.

8. The learned counsel for the respondent bank cited number of decisions in support of his contention that the

petitioner is not a workman. In 1994 II ILJ page 1005 Karnal Central Co. Op. Bank Ltd., vs. P.O., Industrial Tribunal-Labour Court, Rohtak and others. The Punjab and Haryana High Court held that the workman who has not worked for 240 days in an year is not a workman and is not entitled to any right or relief u/s. 25(H) of the I.D. Act. In 1994 Lab. I.C. page 1370 Pali Central Co-operative Bank Ltd., Pali, Appellam vs. Sunil Kumar Sharma, Respondent the Rajasthan High Court considered a similar case where the workmen have not worked for 240 days in any one year from 1986 to 1989 and so held that the workmen is not entitled to any relief. In our case, the respondent did not produce the daily wage employees register or petty cash vouchers from 1988 to 1992 and so I have already held that an adverse inference has to be drawn against the management. In JT 1996 (10) S.C. 329 Union of India & others vs. Bishamber Dutt, the Supreme Court held that the workmen appointed in the office of the controller and defence accounts on part time basis without following the selection according to Law and appointed to regular post are not entitled to any relief. This case relates to employers appointed in a Government Department and not an Industrial Undertaking. This does not apply to our case. He lastly relied upon 1997 II ILJ page 982 wherein the Madras High Court considered the case of the Employees of Indian Investment Centre placed at the disposal of Industrial Development Bank of India as an interim measure. Service of such employees was terminated by Indian Investment Centre after a period of about 5 years. The Madras High Court held that termination is justified, valid and proper as they have no right and absorption in Industrial Development Bank. They were provided some employment opportunity as an interim measure on humanitarian consideration. The above decisions do not apply to our case for the reason that by the admissions of the respondent and by its omissions to produce the record it has to be presumed that the petitioner has worked for more than 240 days. Hence, he is a workman.

(9) Point No. 2.—Admittedly, the petitioner was not engaged after 1992. Failure to give employment to a workman who work for more than 240 days amounts to retrenchment. It was so held in 1989 II ILJ page 294 STATE BANK OF INDIA vs. UNION OF INDIA AND 1994 II LLN page 691 MANPHOOL SINGH BENYVAL vs. RAJASTHAN STATE SPORTS COUNSEL AND OTHER. So I hold that the petitioner was retrenched without following the conditions prescribed in Section 25F of the I.D. Act.

(10) Point No. 3.—The petitioner ought to have been selected even according to the directions given by the Government of India and the instructions of the Bank authorities. The Government of India directed the Banks to absorb daily wage employees who have worked for more than 90 days if he is qualified. It is treated as approach paper by the Bank Officers. The definition of a "temporary employee" given in "Sastiy Award" and "Desai's Award" are extracted therein. There was also a Bi-parite Settlement dated 19-10-66 in which the temporary employee was defined as follows:

In supersession of paragraph 21-20 and sub-clause (c) of paragraph 23-15 of the Desai Award, "Temporary Employee" will mean a workman who has been appointed for a limited period of work which is of an essentially temporary nature or who is employed temporarily as an additional workman in connection with temporary increase in work of a permanent nature and includes a workman other than permanent workman who is appointed in a temporary vacancy caused by the absence of a particular permanent workman.

The petitioner's service on petty cash voucher also comes under this definition as a person appointed for a limited period which is of a essential and temporary in nature. He is also temporary worker. The management is not justified in ignoring the 630 days work on petty cash voucher as the said working days are also to be counted as per the decision, cited above. The selection committee was given Ex. M8 instructions to award minimum marks of 25 for temporary service of 90 days and above but less than 101 days. The workman who worked for more are also entitled to 5 marks for each additional 100 days of temporary service. So the petitioner is entitled to 25 marks for working for 90 days in leave vacancies and 32 marks for working on petty cash

voucher. So he is entitled to 57 marks with regard to the attendance besides 10 marks assigned by the interview committee as noted in Ex. M-7. Thus he got 77 marks. It is admitted by the management witnesses that all candidates who got 42 marks and above are put in select list. There is another clause in Ex. M8 instructions which says that candidates who have put in continuous service of 240 days or more in 12 consecutive months shall be Awarded maximum marks of 70. Then the petitioner got 80 marks, as I held on point No. 1 that he worked for more than 240 days, for this reason also the petitioner should have been selected.

(11) Point No. 4.—In the result an Award is passed as follows.—The petitioner shall be reinstated into service as peon in any branch of State Bank of Hyderabad in Andhra Pradesh. His appointment shall be deemed to be made on the date on which the first person selected in pursuance of Exs. M4 to M8 selection proceedings are made. His salary shall be fixed giving him his annual increments, etc. He shall be paid wages from one month after the publication of the Award. He is not entitled to any back wages. He is entitled to continuity of service.

Dictated to the Sr. Stenographer, transcribed by her, corrected by me and given under my hand and the seal of this Tribunal, this the 12th day of February, 1998.

V. V. RAGHAVAN, Industrial Tribunal-I, Hyd.

APPENDIX OF EVIDENCE

Witnesses examined for the petitioner :

WW1 : A. Ravinder.

Witnesses examined for the respondent :

MW1 : D. S. Prakash Rao.

MW2 : V.V.L. Narsimha Rao

MW3 : G. Yadagiri

Documents marked for the petitioner/workman :

Ex. W1 : Notice of the advocate dated 13-5-91 issued to the Manager, S.B.H. Torur.

Documents marked for the respondent/management :

Ex. M1 : Attendance register from 6-5-85 to 19-4-86.

Ex. M2 : Attendance register from 27-11-89 to 10-11-90.

Ex. M3 : Wages register regarding the payment of wages paid to casuals.

Ex. M4 : Publication made in Newspaper calling for applications from casual labour who were in the bank.

Ex. M5 : Direction of Government of India of Ministry of Finance Department of Economic Affairs—Reg. Recruitment and absorption of temporary employees in public sector Banks dated 6-8-90.

Ex. M6 : Details of the committee at the time of interviewing the petitioner dated 28-2-92.

Ex. M7 : Xerox copy of statement showing the marks secured by the petitioner.

Ex. M8 : Xerox copy of instructions given to the committee.

नई दिल्ली, 11 मार्च, 1998

का.आ. 702 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कर्नाटक, बेक निगिरेड मंगलूर के प्रबंधन के संवद्ध नियोजकों और उनके कामकारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में औद्योगिक अधिकरण, कोराम के पंचपट को प्रवाहित करनी है, जो केन्द्रीय सरकार को 10-3-98 को प्राप्त हुआ था।

[संख्या एन-12012/151/94-आई आर (बी-1)]

पी.जे. मारिका, सचिव प्रशासकी

New Delhi, the 11th March, 1998

S.O. 702.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Kollam, industrial dispute between the employers in relation to the management of Karnataka Bank Ltd., Mangalore and their workman, which was received by the Central Government on 10-3-98.

[No. L-12012/151/94-IR(B.I.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL, KOLLAM

Dated, this the 20th day of February, 1998

PRESENT :

Sri C. N. Sasidharan, Industrial Tribunal in Industrial Dispute No. 7/96.

BETWEEN :

The Chairman, Karnataka Bank Ltd., Head Office, P. B. No. 716, Kodibail, Mangalore-575003.

(By Sri G. Haridas, Advocate, Kollam)

AND

Sri P. J. Sebastian, Pushpamandiram, Kannimechery, Kavanad, Kollam-3.

(By Sri G. Sree Kumar, Advocate, Kollam)

AWARD

This industrial Dispute has been referred for adjudication to this Tribunal by the Government of India as per order No. L-12012/151/94-IR B-1 dated 10-4-1996.

The issue for adjudication is the following :

“Whether the action of the management of Karnataka Bank Ltd. in terminating Sri P. J. Sebastian from the post of Peon in their Kollam branch and subsequent denial of employment to him are just and reasonable ? If not, what relief is the workman entitled to ?”

2. Both sides entered appearance and filed statements advancing their respective contentions. Thereafter the case was included in the special list and posted for evidence and hearing of four dates. But no evidence could be taken as both sides got adjournments due to illness of worker and inconvenience of counsel on both sides. The case was then posted to 23-1-1998. On that day the worker and counsel remained absent without any reason whatsoever. No adjournment was also sought on

behalf of worker. Hence the case was adjourned to 19-2-1998 for disposal. There was no sitting of this Tribunal on that day and the matter was adjourned to today. Today, when the case was called, the worker and counsel remained absent. An adjournment was sought on behalf of the counsel without moving any petition or without taking any steps for setting aside disposal order. Hence the prayer was rejected.

3. Since the worker who is claiming relief in this reference failed to prosecute the matter diligently and to establish his case, no relief can be granted. This reference is therefore only to be answered in the negative.

4. In view of what is stated above, an award is passed holding that the workman Sri P. J. Sebastian, is not entitled to get any relief in this reference.

C. N. SASIDHARAN, Industrial Tribunal

नई दिल्ली, 12 मार्च, 1998

का.आ. 703.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्गण में, केन्द्रीय सरकार ग, कैरिज फैक्टरी, जबलपुर के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-98 को प्राप्त हुआ था।

[सं. एल-14012/94/91-डी-2(बी)]

के.बी.बी. उष्णी, डेस्क अधिकारी

New Delhi, the 12th March, 1998

S.O. 703.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Gun Carriage Factory, Jabalpur and their workman, which was received by the Central Government on 12-3-98.

[No. L-14012/94/91-D. 2(B)]

K. V. B. UNNY, Desk Officer

अनुबंध

केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय,

जबलपुर, म.प्र.

डी.एन. दीक्षित

पीठासीन अधिकारी

प्र.क्रं. सीजीआईटी/एलसी(आर)(32)/92

श्री शंकरलाल
एक्स-पंप अटेंडेंट,
फर्नीचर कारखाना नं. 22 के पास
म.प्र. उद्योग निगम, आधारताल,
जबलपुर (म.प्र.)-482004 — प्रार्थी
वि.
महाप्रबंधक,
गन कैरिज फैक्ट्री,
जबलपुर (म.प्र.) ---प्रतिप्रार्थी

अवार्ड

दिनांकित : 27/02/1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश संख्या एल-14012/94/91-डी-2(बी) दिनांक 20-02-92 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस अधिकरण को भेजा है:—

अनुसूची

“Whether the action of the management of Gun Carriage Factory, Jabalpur in terminating the services of Shri Shankarlal, Ex-Pump Attendant w.e.f. 25-4-90 is justified? If not, what relief he is entitled to?”

2. श्री शंकरलाल के अनुसार वह गन कैरिज फैक्ट्री, जबलपुर में पम्प अटेंडेंट था और दिनांक 30-4-90 को सेवानिवृत्त होने वाला था। दीवाली दिनांक 27-10-89 के दिन जबकि फैक्ट्री में छुट्टी थी, सुरक्षा गार्ड पम्प-हाउस में आकर जुआ खेलने लगे। श्रमिक ने इस पर आपत्ति की। सुरक्षा कर्मियों ने उसे धमकी दी। उसी रात करीब 11 बजे जब झूटी समाप्त कर श्रमिक फैक्ट्री के बाहर जा रहा था, एक सुरक्षा कर्मी ने उसे पकड़ा और खींचकर कार्यालय ले गया। वही पर पड़े एल्युमिनियम के टुकड़ों को श्रमिक के कब्जे से जप्त होना बतलाकर श्रमिक के विरुद्ध रिपोर्ट की। श्रमिक के विरुद्ध विभागीय जांच प्रारंभ हुई। दिनांक 27-3-90 को श्रमिक ने जांच अधिकारी को सही वस्तुस्थिति बताई। जांच अधिकारी ने कोरे कागज पर श्रमिक के हस्ताक्षर लिये और बाद में श्रमिक की स्वीकृति लिखी। यह संभव नहीं है कि 16 टेलफोन श्रमिक धोती में लपेटकर कमर में बांधे लें। श्रमिक ने अपनी स्वीकृति अपने हाथ से नहीं लिखी है। श्रमिक अतपढ़ व्यक्ति है, उसे सहायता के लिये कोई कर्मचारी नहीं दिया गया। श्रमिक की पुरानी सेवाओं पर विचार नहीं किया गया। श्रमिक चाहता है कि उसे पुनः सेवा में लिया जाये और सभी सुविधायें पुनः प्रदान की जायें।

3. प्रबंधन के अनुसार दिनांक 27-10-89 को शाम 6.25 पर श्रमिक को गेट पर रोका गया और उसकी तलाशी ली गई। श्रमिक के कब्जे में 16 टेलफोन एल्युमिनियम की जप्त की गई। यह सामान श्रमिक धोती में लपेट कर कमर में बांधे था। इस आधार पर श्रमिक

के विरुद्ध विभागीय जांच की गई। दिनांक 27-4-90 को श्रमिक ने मोव-समझकर कदाचरण स्वीकार किया। इस आधार पर श्रमिक को स्पष्टीकरण का अवसर प्रबंधन ने दिया। श्रमिक ने इसका कोई जवाब नहीं दिया। श्रमिक को दिनांक 25-4-90 में वण्डस्वर्ष सेवा से पृथक किया गया। श्रमिक के कदाचरण को देखते हुए यह उचित वण्ड है।

4. प्रबंधन ने विभागीय जांच के लेखों की फोटो प्रतियां प्रस्तुत की हैं। दिनांक 27-3-90 की आर्डर-शीट में यह स्पष्ट उल्लेख है कि श्रमिक ने आरोप स्वीकार किए। इस आर्डर-शीट पर श्रमिक के हस्ताक्षर हैं। श्रमिक ने दिनांक 20-4-90 को जो पत्र जनरल मैनेजर, गन कैरिज फैक्ट्री, जबलपुर को लिखा है, उसमें श्रमिक ने स्वीकार किया है कि चूंकि उसका सेवा निवृत्त का समय नजदीक आ रहा था और उसे अपना पेंशन और ग्रेजुटी की चिन्ता थी, इस कारण उसने आरोप स्वीकार किए। इस तरह यह बात तो मिट्ट हो गई कि श्रमिक ने बिना किसी दबाव के आरोप स्वीकार किए थे।

5. प्रबंधन ने श्रमिक को फैक्ट्री की संपत्ति की चोरी का दोषी पाया और सेवा से पृथक किया। श्रमिक को फैक्ट्री की संपत्ति ले जाने हुए रंगे हाथों पकड़ा गया था। ऐसी स्थिति में सेवा समाप्ति का आदेश उचित है।

6. अवार्ड दिया जाता है कि श्रमिक श्री शंकरलाल की सेवा निवृत्त का आदेश विधिवत है और नियमों के अनुसार है। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

7. अवार्ड की प्रतियां नियमानुसार भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती हैं।

डी. एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 12 मार्च, 1998

का.आ. 704.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर.एम.एस. जबलपुर डिबीजन, जबलपुर (म.प्र.) के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-98 को प्राप्त हुआ था।

[सं. एल-40012/7/85-डी. 2(बी)]
के.बी.बी. उण्णी, डैस्क अधिकारी

New Delhi, the 12th March, 1998

S.O. 704.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the indus-

trial dispute between the employers in relation to the management of R.M.S. Jabalpur Division, Jabalpur (M.P.) and their workman, which was received by the Central Government on the 12-3-98.

[No. L-40012/7/85-D. 2(B)]
K. V. B. UNNY, Desk Officer

अनुबंध

केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय,
जबलपुर म.प्र.

डी.एन. दीक्षित
पीठासीन अधिकारी

प्र.क्र. सीजीआईटी/एलटी/आर/26/1986

दि कन्वेनर,

पी एंड टी एम्प्लॉईज

को-अडिनेशन कमेटी

जबलपुर (म.प्र.)

वि.

दी सुप्रीन्टेण्डेंट,

आर.एम.एस. जबलपुर डिवीजन,

जबलपुर (म.प्र.)

—प्रार्थी

—प्रतिप्रार्थी

अवाई

दिनांकित: 12/02/1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश संख्या एल-40012/7/85-बी-2(बी) दिनांकित 10/2/86 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस अधिकरण को भेजा है :—

अनुसूची

“क्या आर.एम.एस. जबलपुर डिवीजन, जबलपुर (म.प्र.) के प्रबंधन की श्री एफ.के. मानकर, छटार्ड (साटिंग) सहायक की सेवाये आदेश संख्या के-5-9/जे-8/83-84, तारीख 4-8-84 की तहत समाप्त करने की कार्रवाई न्यायोचित है। यदि नहीं तो संबंधित कर्मकार किस अनुतोप का हकदार है।”

2. श्रमिक के अनुसार उसकी नियुक्ति आदेश दि. 23/12/82 के द्वारा साटिंग असिस्टेंट के पद पर हुई थी। इस पद पर श्रमिक पूरी निष्ठा तथा ध्यान लगाकर काम कर रहा था। श्रमिक का झगड़ा दूसरी युनियन के अध्यक्ष श्री मदन पाण्डे से हुआ और उन्होंने श्रमिक को परेशान करने के लिये दबाव डालना शुरू किया। श्रमिक का स्थानान्तरण सतना किया गया। आदेश दिनांक 4/8/84 के द्वारा श्रमिक की सेवाये समाप्त कर दी गई। श्रमिक की सेवा समाप्ति पर हर्जाना नहीं दिया गया। सेवा समाप्ति से पहले उसे नोटिस भी नहीं दिया गया। सेवा समाप्ति से पूर्व कोई जांच श्रमिक के विरुद्ध नहीं की गई। बिना न्यायसंगत कारण के श्रमिक की सेवाये समाप्ति की गई है, इस कारण वह पुनः नियुक्ति और वेतन भत्ते की मांग कर रहा है।

3. प्रबंधन के अनुसार आवेदक श्रमिक नहीं है। आर.एम.एस. का काम श्रमिक का सावरन काम है। विभाग के कर्मचारियों के कार्य संचालन हेतु नियम बने हुए हैं और इन्हीं नियमों के अन्तर्गत कर्मचारियों की सेवाये संचालित की जाती है। श्रमिक को अस्थायी रूप से नियुक्त किया गया था। इसमें यह उल्लेख है कि विभागीय नियमों के अनुसार श्रमिक की सेवाये संचालित होगी। श्रमिक जब जबलपुर में पदस्थ था, तो उसकी कार्य शैली के कारण वह विवादस्पद हो गया। श्रमिक हथियार लेकर ह्यूटे में आने लगा। तथा भय का वातावरण उत्पन्न किया। श्रमिक ने श्री मदन पाण्डे पर चाकू से वार किया और उसके विरुद्ध दांडिक प्रकरण विचारधीन है। श्रमिक की अपराधिक गतिविधियों को देखते हुए उसका स्थानान्तरण सतना किया गया और बाद में इन्हीं के कारणों पर उसे सेवा से मुक्त किया गया। श्रमिक की सेवाये विभाग में अराजकता फैलाने के लिये समाप्त की गई।

4. वर्तमान प्रकरण में यह स्वीकृत तथ्य है कि श्रमिक श्री एफ.के. मानकर को दिनांक 20-2-82 के आदेश द्वारा साटिंग असिस्टेंट नियुक्त किया गया था तथा श्रमिक की सेवाये दिनांक 4-8-84 के आदेश के द्वारा समाप्त की गई थी। सेवा समाप्ति के पूर्व श्रमिक के विरुद्ध जांच नहीं की गई और उसे नोटिस भी नहीं दिया गया। सेवा समाप्ति के पश्चात् उसे हर्जाना भी नहीं दिया गया। श्रमिक से उसके कृत्यों के बारे में कोई स्पष्टीकरण भी नहीं मांगा गया।

5. प्रथम विचारणीय प्रश्न यह है कि क्या आर.एम.एस. विभाग इन्डस्ट्री की परिभाषा के अन्तर्गत नहीं आता। माननीय उच्चतम न्यायालय से जनरल मैनेजर टेले. विरुद्ध श्री निवास राव और अन्य के निर्णय में जो 1979 (8)—एससीसी, पेज-767 में मुद्रित है, में यह निर्धारित किया है कि औद्योगिक विवाद अधिनियम, 1947 के प्रावधान भारत सरकार के द्वारा संचालित कार्यों पर भी लागू होते हैं। इन न्यायमिष्ठान्त के प्रकाश में प्रबंधन का यह तर्क अमान्य किया जाता है कि आर.एम.एस. विभाग के कर्मचारियों पर औद्योगिक विवाद अधिनियम नहीं लागेगा।

6. धारा 25-एफ औद्योगिक विवाद अधिनियम, 1947 के अनुसार श्रमिक की सेवा समाप्ति छटनी की परिभाषा में आती है। श्रमिक की छटनी की गई, किन्तु उसे नोटिस नहीं दिया गया। श्रमिक को हर्जाना की राशि भी नहीं दी गई। श्रमिक को निकालने से पहले आरोपों पर जांच नहीं हुई और आरोपों के संबंध में उसका स्पष्टीकरण भी नहीं दिया गया है। प्रबंधन ने इस प्रकार धारा 25-एफ औद्योगिक विवाद अधिनियम का उल्लंघन किया है।

7. घोषित किया जाता है कि श्रमिक श्री एफ.के. मानकर की सेवा समाप्ति अवैधानिक है। श्रमिक सेवा-

मुक्ति की दिनांक से इस पद पर रहने के पात्र है। नियम के अनुसार वेतन और भत्ता तथा प्रमोशन पाने के भी अधिकारी है। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

8. नियमानुसार अवाइ के प्रतियां भारत सरकार, प्रम मंत्रालय की प्रेषित की जाती है।

डॉ. एन. दाक्षिन, पीठासीन अधिकारी

दिनांक: 12-2-98

नई दिल्ली, 12 मार्च, 1998

का. प्रा. 705.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय मन्त्रालय रीजियल को-ऑर्डिनेटर, नेहरू युवा केंद्र संगठन, आगरा के प्रबंधक के सबद निषेधकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचरट की प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-98 को प्राप्त हुआ था।

[सं. एन-42012/90/91-डी-2(बी)]

के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 12th March, 1998

S.O. 705.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Regional Coordinator, Nehru Yuvak Kendra Sangathan, Agra and their workman, which was received by the Central Government on the 12-3-1998.

[No. L-42012/90/91-D. 2(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA : PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL : NEW DELHI

I. D. No. 26/1992

In the matter of dispute :

BETWEEN

Shri Murari Lal Sharma,
C/o Shri Surendra Singh,
Advocate,
2/236, Namner,
Agra-282001.

Versus

The Regional Coordinator,
Nehru Yuvak Kendra.

53, Saket Colony,
Sahib Ganj,
Agra-282010.

APPEARANCES :

Shri Surendra Singh Advocate for the Workman.

Shri W. C. Chopra Advocate for the Management.

AWARD

The Central Government of India in the Ministry of Labour, vide its order No. L-42012/90/91-D. 2(B) dated 4-3-1992, has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the Regional Coordinator, Nehru Yuvak Kendra Sangathan, Agra, is justified in terminating the services of Shri Murari Lal Sharma, Accounts Clerk w.e.f. 1-12-1998? If not, what relief he is entitled to?”

2. The case of the concerned workman is that he was working in Nehru Yuvak Kendra, Mathura as Peon from 28-8-1980 to 5-2-1987 and from 6-2-1987 he had worked as Peon-cum-Watch and Ward, whereafter he was promoted as Accounts Clerk w.e.f. 30-3-1988 and he continued as such till 30-11-1988, whereafter his services were illegally terminated w.e.f. 1-12-1988 in violation of Section 25-F of the I.D. Act, 1947, as he was not paid retrenchment compensation and one month notice or pay in lieu thereof when his services were terminated.

3. In their written statement, it has been stated by the management that the concerned workman had worked from 28-11-1980 to 31-7-1986 as Peon-cum-Watch and Ward at Nehru Yuvak Kendra, Mathura, whereafter he abandoned his job and disappeared. It is further stated that the concerned workman applied for appointment as Peon-cum-Watch and Ward at Nehru Yuvak Kendra, Agra on 28-1-1987 in response to an advertisement in the daily Amar Ujala. He was selected as Peon-cum-Watch and Wards, and he joined as such on and from 2-2-1987. Later on, the concerned workman applied for the post of Accounts Clerk at Nehru Yuvak Kendra, Agra and pursuant to his application dated 21-3-1988 he was offered appointment for the post of Accounts Clerk purely on ad-hoc basis at monthly consolidated remuneration of Rs. 800 per month, vide appointment letter dated 30-3-1988, in which it was specifically mentioned that the Sangathan could terminate his services without serving any notice or without assigning any reason, whatsoever, during the period of ad-hoc appointment. Accepting the terms and conditions, as laid down in the appointment letter, the concerned workman joined as Accounts Clerk

at Nehru Yuvak Kendra, Agra on and from 4-4-1988. It has not been denied by the management that the services of the concerned workman were terminated w.e.f. 1-12-1988. It is also not denied by the management that at the time of termination, no retrenchment compensation and one month's notice or pay in lieu thereof was given to the concerned workman. On the contrary, it has been pleaded that the I.D. Act, 1947 is not applicable to the Sangathan, because it is not an industry.

4. The Management have filed 9 documents and have examined Shri Deen Dayal Sharma, as MW 1|1, Shri R. N. Sason, Regional Coordinator, Nehru Yuvak Kendra Sangathan, Delhi, as MW 2|1 and Shri K. V. Drona, Regional Coordinator Sangathan, Agra Region, Jaipur, as MW 3|1.

5. The concerned workman has filed 11 documents and has examined himself as WW 1|1.

6. I have heard representatives of both the parties and have gone through the evidence on record.

7. Before I proceed to examine the case on merits, I would like to first decide as to whether Nehru Yuvak Kendra Sangathan is an industry or not. It has been pleaded by the management that Nehru Yuvak Kendra Sangathan is not an industry and, therefore, the alleged matter of reference is not an industrial dispute. It has been stated that the Nehru Yuvak Kendra Sangathan was established by the Government of India all over the country from the year 1972 onwards. A society, named Nehru Yuvak Kendra Sangathan, was registered under the Societies Registration Act, 1960 in February, 1987, which took over Kendras established by the Government of India. It is further stated that the Kendras are engaged in the promotion of social services to provide education and training to the youth of the country by involving the youth in programmes, that would facilitate the organisation of youth leadership, training programmes, community singing, physical and adult education, character building, etc. thereby promoting and developing the concept of National integration, solidarity and secularism amongst the youth.

8. From the undisputed facts on record, it is clear that the Nehru Yuvak Kendra Sangathan hires the services of employees as in the other like business. The manner in which its activity is organised and/or arranged, the condition of cooperation between the management and the employees, necessary for its success and objects to render the material services to the community, is a pivotal test to identify whether the activity is industry or not. The Nehru Yuvak Kendra Sangathan fulfils all those conditions which are essential for being an industry. Therefore, I am of the view that it is an industry, and the provision of I.D. Act, 1947 apply to it.

9. It has been admitted by the management that the concerned workman had joined as Accounts Clerk at Nehru Yuvak Kendra, Agra on and from 4-4-1988 and his services were terminated w.e.f. 1-12-1988. Thus, the concerned workman had worked for over 240 days during preceding 12 consecutive months, counting backwards from 30-11-1988 to 4-4-1988. It is an undisputed fact on record that at the time of termination of his services, the concerned workman had not been paid any retrenchment compensation nor given one month's notice or pay in lieu thereof, in compliance of Section 25-F of the I.D. Act, 1947. On this score alone, the action of the management in terminating the services of the concerned workman w.e.f. 1-12-1988 is not tenable same being in violation of the mandatory provisions of Section 25-F of the I.D. Act, 1947.

10. The plea of the management that the termination of the services of the concerned workman was actuated by his misbehaviour with his superiors or that his work was not satisfactory, is of no use, because no disciplinary action has been taken against the concerned workman, of course, complying with the principles of natural justice.

11. Hence, it is held that the Regional Coordinator Nehru Yuvak Kendra Sangathan, Agra, is not justified in terminating services of the concerned workman w.e.f. 1-12-1988, as a result of which the concerned workman is entitled to be reinstated with full back wages and all other benefits, which would have accrued to him.

12. Award is given accordingly.
2-3-1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

का०आ०. 706.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पुनर्जापानी लाइम स्टोन डीलोमाईट कुवैरी के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[मं० एन-29012/8/91-आई०आर० (विविध)]
वी०एम० डेविड, डैस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 706.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure in the

industrial dispute between the employers in relation to the management of Purnapani Lime Stone & Dolomite Quarry and their workman, which was received by the Central Government on 16-3-1998.

[No. L-29012/8/91-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING
OFFICER : INDUSTRIAL TRIBUNAL :

ROURKELA

Industrial Dispute Case No. 13/97(C)

Dated the 28th January, 1998

PRESENT :

Shri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch),
Presiding Officer,
Industrial Tribunal,
Rourkela.

BETWEEN :

Management of Purnapani
Lime Stone Dolomite Quarry,
of SAIL, RSP. 1st party

AND

Their workmen,
The Secretary,
Rourkela Shramic Sangh (INTUC)
Purnapani Branch, Purnapani,
Purnapani.

Distt. Sundargarh-770001. IInd party

APPEARANCES :

For the Ist party —None.

For the IInd party —None.

AWARD

The Govt. of India in Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-29012/8/91-IR (Misc.) dated 26-9-91 for adjudication :

“Whether the demand of Rourkela Shramik Sangh, Purnapani, Dist. : Sundargarh claiming promotion of Shri Ram Gopal Singh as Chargeman

(Mechanic) in the Grade of P-9 is justified ? If so, to what relief the workman is entitled?”.

2. The case was fixed on 22-1-1998 for hearing. Since neither of the parties appeared before this Tribunal on that date, it can be presumed that, at present there is no dispute between them or they have amicably settled the dispute out side the Court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

कां०आ० 707 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पुरनापानी लाइम स्टोन एंड डोलोमाइट कुवैरी के प्रवर्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में औद्योगिक अधिकरण, राऊरकेला के पंचपट को प्रकाशित करनी है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं. एल-29011/03/92-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 707.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure in the industrial dispute between the employers in relation to the management of Purnapani Lime Stone & Dolomite Quarry and their workman, which was received by the Central Government on 16-3-1998.

[No. L-29011/03/92-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURE OF THE PRESIDING
OFFICER : INDUSTRIAL TRIBUNAL :

ROURKELA

Industrial Dispute Case No. 23/97(C) (8/93)

Dated the 28th February, 1998

PRESENT :

Shri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch),
Presiding Officer,
Industrial Tribunal
Rourkela.

BETWEEN :

General Manager,
Purnapani Limestone & Dolomite,
Quarry of RMD, SAIL,
Rourkela-11. .. Ist party

AND

The Secretary,
Rourkela Shramik Sangh (INTUC),
Purnapani Branch, PO : Purnapani,
Dist. : Sundargarh (Orissa) .. IInd party

APPEARANCES :

For the Ist party : Shri R. C. Tripathy
Law Officer.

For the IInd party—Shri A. K. Pandey
Secretary, RSS.

AWARD

The Govt. of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 have referred the following disputes for adjudication vide No. L-29011/3/92-IR- (Misc.) dated 5-2-1993.

“Whether the action of the management of Purnapani Limestone & Dolomite Quarry of Raw Material Division, SAIL, PO : Purnapani, Dist. Sundargarh discontinuing force ambulance services to the employees and charges Rs. 3 for carrying patients inside Purnapani Township and Rs. 25 to Rs. 30 from outside Purnapani Township is justified? If not, to what relief the workers are entitled to?”

2. In this case, the representatives of both the parties by filing a joint petition along with a memorandum of settlement drawn-up in Form ‘H’ pray to pass an award in terms thereof. The terms of the settlement are read

over and explained to the parties to which they admit to be true and correct. The terms of the settlement being fair are recorded and an Award is passed in terms thereof which do form part of the Award.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

FORM H

(See Rule 58)

Form for Memorandum of Settlement
Name of the Parties :

Representing employer(s) : R. C. Tripathy, Law Officer RMD, Rourkela.

Representing workman : Shri A. K. Pandey, Secretary, Rourkela Shramik Sangh PL&DQ, Purnapani.

Short recital of the Case

The Rourkela Shramik Sangh raised an industrial dispute demanding withdrawal of letter No. OMQ/IX/10(4)/12696-706 dated 20-8-1987 issued imposing Ambulance charges to entitled patients who are attending Mines Hospitals/Health Centres by Company's Ambulance from their residences. The said dispute after failure of conciliation, was referred to the Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar vide Govt. of India, Ministry of Labour, New Delhi Order No. L-29011/3/92-IR (Misc.) dated 5-2-1993 for adjudication. The dispute was registered as I.D. Case No. 8/93(1). After transfer of the file to Industrial Tribunal, Rourkela, the said dispute has been registered as I.D. Case No. 23/97(c).

During pendency of the dispute before the Industrial Tribunal, the Management decided not to charge for using Ambulance by the employees within the Township for attending Mines Hospital/Health Centre. The decision has been circulated vide letter No. PL-CML/94 dated 11-7-1994.

Terms of Settlement

As the free ambulance service to entitled patients has been restored, it is agreed by and between the Management of PL&DQ, Purnapani and Rourkela Shramik Sangh, Purnapani that there shall be no charge from the entitled

patients of the employees and the employees for availing ambulance service and there shall be no dispute for refund of the ambulance charges, if any, already paid in future. The award may be passed in terms of the settlement.

Signature of the parties.

By the Rourkela Shramik Sangh.

Through :

(A. K. Pandey)
Secretary

Rourkela Shramik Sangh,
Rourkela.

Witness :

(1) (R. G. Singh)
Purnapani.

(2) (Sri Panda)

Manager (P&A) PLDQ.

By the Management of
PL&DQ Purnapani
Through :

(R. C. TRIPATHY)
Law Officer

SAIL, Raw Materials Division,
Rourkela.

नई दिल्ली, 16 मार्च, 1998

का० ग्रा० 708.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पुरनापानी लाइम स्टोन एंड डोलोमाइट कुवारी के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं० एल-42012/7/93-ग्राह्यार० (विधि)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S. O. 708.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Purnapani Lime Store and Dolomite Quarry and their workman, which was received by the Central Government on 16-3-1998.

[No. L-42012/7/93-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

IN THE COURT OF THE PRESIDING
OFFICER, INDUSTRIAL TRIBUNAL,
ROURKELA

Industrial Dispute Case No. 32/97 (C)

Dated the 9th February, 1998.

PRESENT :

Shri R. N. Biswal, LL.M., (O.S.J.S. Sr. Branch)
Presiding Officer, Industrial Tribunal,
Rourkela.

BETWEEN :

The General Manager, Purnapani Limestone
and Dolomite Quarry of Raw Material
Divn. SAIL, Rourkela Zone, P.O. Rour-
kela-11 District : Sundargarh.

..1st Party.

AND

The Secretary, Rourkela Shramik Sangh
(INTUC), Purnapani Branch, P.O. : Purna-
pani, District : Sundargarh.

..IInd Party.

APPEARANCES :

For the 1st party : None.

For the IInd party : None.

AWARD

The Government of India in Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-42012/7/93-IR (Misc.), dated 2-5-1994 for adjudication:

"Whether the action of the management of Purnapani Limestone and Dolomite Quarry of Raw Material Division, SAIL, Rourkela zone, Rourkela-11 not giving employment to the dependants of Late Janam Singh Munda, P.L. No. 40575 who died on 11-7-1992 in Ispat Hospital, PLDQ., Purnapani was justified? If not, what relief the dependent is entitled to."

2. The case was fixed on 29-1-1998 for hearing. Since neither of the parties appeared before this Tribunal on that date, it can be presumed that, at present there is no dispute between them or they have amicably settled the dispute outside the Court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer.

नई दिल्ली, 16 मार्च, 1998

का० ग्रा० 709.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टीसको लिमिटेड के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक

विवाद में औद्योगिक अधिकरण, राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं० एल-42012/22/93-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 709.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of TISCO Ltd., and their workman, which was received by the Central Government on the 16-3-1998.

[No. L-42012/22/93-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER

INDUSTRIAL TRIBUNAL ROURKELA

Industrial Dispute Case No. 39/97 (C)

Dated the 13th February, 1998.

PRESENT :

Shri R. N. Biswal, LL.M., (O.S.J.S. Sr. Branch)
Presiding Officer Industrial Tribunal,
Rourkela.

BETWEEN :

Divisional Manager. Geological Services TISCO
Keonjhar. ..1st party.

AND

Shri Mohan Charan Hemram C/o. B. S. Patl,
Gene. Secy. North Orissa Workers Union
Rourkela. ..IInd party.

APPEARANCE :

For the 1st party : None.

For the IInd party : None.

AWARD

The Government of India in Ministry of Labour, Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-42012/22/93-IR (Misc.), dated 10-8-1994 for adjudication.

"Whether the action of the management of TISCO Ltd., in terminating the services of Shri Mohan Cn. Hemram, P. No. 195567 w.e.f. 1-4-1990 is legal and justified? If not, to what relief the workman is entitled to?"

2. The case was fixed on 9-2-1998 for further order. On that date both parties remained absent but, earlier they sent a joint petition by post to pass No Dispute Award as they had settled their dispute amicably out side the court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer.

नई दिल्ली, 16 मार्च, 1998

का० आ० 710.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नीसरा स्टोन लाइम कम्पनी लि० के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं० एल- 29011/24/95-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 710.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bisra Stone Lime Company LTD., and their workman, which was received by the Central Government on the 16-3-98.

[No. L-29011/24/95-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 101/97 (C)

Dated the 11th February, 1998

PRESENT:

Shri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch)
Presiding Officer
Industrial Tribunal,
Rourkela.

BETWEEN

The Executive Director,
Bisra Stone Lime Company Limited
PO : Birmatrapur,
Dist : Sundargarh. ..1st Party.

AND

Their Workmen through
The Secretary,
The Gangpur Labour Union
PO : Birmatrapur,
Dist : Sundargarh. ..IInd Party.

APPEARANCE:

For the 1st party---Smt. L. Palai Asst. Superintendent(P)

For the 2nd party Shri K. N. Pathak Secretary.

AWARD

The Govt. of India in Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-29011/24/95-IR (Misc.) for adjudication:

"Whether the action of the management of M/s. Bisra Stone Lime Company Limited. Birmirapur, Dist : Sundargarh not paying wages for 4th October, 94 to the workmen is justified? If not to what relief the workmen are entitled?"

2. The case was posted to day i.e. 11-2-98. But both parties filed a joint petition stating to drop the case and to pass No Dispute Award since there was no dispute existing between them. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

कांआ० 711.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै० जिन्दाल इंडिरपस लि० के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, राऊरकेला के पंचपट की प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[स० एल-29011/27/94-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 711.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Jindal Strips LTD., and their workman, which was received by the Central Government on 16-3-98.

[No. L-29011/27/94-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Disputes Case No. 71/97(31/95)(C)
Dated 28th February, 1998

791 GI/98—14

PRESENT:

Shri R. N. Biswal, I.J.M.
(O.S.J.S. Sr. Branch)
Presiding Officer
Industrial Tribunal,
Rourkela.

BETWEEN

General Manager
Tantra Raikela
Bandhal Mines
M/s. Jindal Strips Ltd.
PO : Tensa, Sundargarh. . 1st party.

AND

General Secretary
Orissa Mineral Workers Union
Barsua, Sundargarh. . 2nd party.

APPEARANCE:

For the 1st party—None.

For the 2nd party—None.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and Sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 have referred the following dispute for adjudication vide No. L-29011/27/94-IR (Misc.) dated 10-5-95.

"Whether the action of the management of Tantra Raikela Bandhal Iron Ore Mines of M/s. Jindal Strips Ltd. Sundargarh in not regularising the weekly paid workmen though worked for 4 years is justified? If not, to what relief the workmen are entitled to?"

"Whether the action of the management of Tantra Raikela Bandhal Mines of M/s. Jindal Strips Ltd. Dist : Sundargarh in transferring the workers working in the mines to factory located at Raigarh is justified? If not, to what relief the workmen are entitled to?"

2. The case was fixed on 24-2-98 for settlement of issues & hearing. Since neither of the parties appeared before this Tribunal on that date, it can be presumed that, at present there is no dispute between them or they have amicably settled the dispute outside the Court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

कांआ० 712.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टीसको लिमिटेड के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक

विवाद में औद्योगिक अधिकरण, राऊरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था ।

[सं० एल-42012/29/93-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 712.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure in the industrial dispute between the employers in relation to the management of TISCO Ltd., and their workman, which was received by the Central Government on 16-3-98.

[No. L-42012/29/93-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 41/97(C)

Dated, the 11th February, 1998

PRESENT :

Shri R. N. Biswal, I.L.M.,
(O.S.J.S. Sr. Branch),
Presiding Officer,
Industrial Tribunal,
Rourkela.

BETWEEN

Divl. Manager (Geological Services),
TISCO Ltd., Jamshedpur ... Ist party.

AND

Shri Fulchand Mahanto,
through General Secretary,
North Orissa Workers' Union,
Rourkela-12. ... IInd party.

APPEARANCES :

For the Ist party—None.

For the IInd party—None.

AWARD

The Government of India in Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 have referred the following dispute vide reference No. L-42012/29/93-IR(Misc.) dated 10-8-94 for adjudication :

"Whether the action of the management of TISCO Ltd. in terminating the services of Shri Fulchand Mahanto P. No. 195672 w.e.f. 01-04-1992 is legal and justified? If not, to what relief the workman is entitled to?"

2. The case was posted today i.e. 11-2-98 for ex-parte hearing. But today both parties remained absent on call. Earlier they sent a joint petition by post to pass No Dispute Award as they had settled their dispute amicably out side the court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

का०प्रा० 713.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचना में, केन्द्रीय सरकार टीमको लिमिटेड के प्रबन्धन के संबंध में निरोधकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, राऊरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था ।

[सं० एल-42012/30/93-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 713.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of TISCO Ltd., and their workman, which was received by the Central Government on 16-3-98.

[No. L-42012/30/93-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 40/97(C)

Dated, the 12th February, 1998

PRESENT :

Shri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch),
Presiding Officer,
Industrial Tribunal,
Rourkela.

BETWEEN

TISCO Limited,
Jamshedpur. ... Ist party.

AND

Shri Prafull Maharana,
C/o North Orissa Workers'
Union, Rourkela. ... IInd party.

APPEARANCES :

For the Ist party—None.

For the IInd party—None.

AWARD

The Government of India in Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-42012/30/93-IR(Misc.) dated 10-8-94 :

"Whether the action of the management of TISCO Ltd. in terminating the services of Shri Praful Maharana P. No. 195642 w.e.f. 1-4-92 is legal and justified? If not, to what relief the workman is entitled to?"

2. The case was fixed on 3-2-98 for hearing. On that date both parties remained absent but earlier they sent a joint petition by post to pass No Dispute Award as they

had settled their dispute amicably out side the court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

कां०अ० 714:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गोमार्दिह डोलोमाइट कुआरी आफ टाटा आयरन एण्ड स्टील एण्ड कोक लि० के प्रबन्धतंत्र के संबद्ध निगमों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, राऊरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं० एच-29012/52/94-आई०आर० (विनिध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 714.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Gomardih Dolomite Quarry of Tata Iron and Steel Co. Ltd., and their workman, which was received by the Central Government on 16-3-98.

[No. L-29012/52/94-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL ROURKELA
Industrial Dispute Case 25/97 (30/93)(C)

Dated, the 3rd February, 1998

PRESENT :

Shri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch,
Presiding Officer,
Industrial Tribunal,
Rourkela.

BETWEEN :

The Agent, Gomardih Dolomite,
Quarry of Tata Iron & Steel,
& Co. Ltd. At : Gomardih,
PO : Tunmura, Dist : Sundargarh .. Ist party.

AND

Shri B. S. Pati,
General Secretary,
Sundargarh Mining Workers',
Union, Rourkela-12 .. IInd party.

APPEARANCES :

For the Ist party.—Shri R. N. Mishra, A.D.M. (P).

For the IInd party.—Shri B. S. Pati, Gen. Secretary.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and Sub-section (2A) of section 10 of the Industrial Dispute Act, 1947 have referred the following disputes for adjudication vide No. 29012/52/92-IR (Misc.) dated 26-8-93 :

"Whether the action of the management of Gomardih Dolomite Quarry of Tata Iron & Steel Co. Ltd., at Gomardih, P.O. : Tumura, Dist : Sundargarh (Orissa) terminating the services of S/Shri Jagu Minz, Dewa Minz, Mansa Lakra, Daharu Lakra, and Etwari Minz from April, 1982 and not considering them for further employment is justified ? If not, to what relief the workmen are entitled to "

2. In this case, the representatives of both the parties by filing a joint petition along with a memorandum of settlement drawn-up in Form 'H' prays to pass an award in terms thereof. The terms of the settlement are read over and explained to the parties to which they admit to be true and correct. The terms of the settlement being fair are recorded and an Award is passed in terms thereof which do form part of the Award.

Dictated & corrected by me.

R. N. BISWAL, Presiding Officer

Dated, 3-2-98.

FORM-H

Under Rule 58 of

Industrial Dispute (Central) Rules, 1957

MEMORANDUM OF SETTLEMENT

Name of Parties :

Representing Employer :

1. The Agent,
Gomardih Dolomite Quarry,
The Tata Iron & Steel Co. Ltd.,
PO : TUNMURA, Via : Rajgangpur.
Dist. : Sundergarh (Orissa). .. First Party.

Representing Workmen :

1. Shri Jagu Minz
2. Shri Dewa Minz
3. Shri Mansa Lakra
4. Shri Daharu Lakra
5. Smt. Etwari Minz. .. Second Party.

SHORT RECITAL OF THE CASE :

The following Industrial Dispute has been referred to the Hon'ble Industrial Tribunal by the Government of India vide its Order No. L-29012/52/92-IR Misc. dated 26-8-1993 /1-9-1993 :—

"Whether the action of the management of Gomardih Dolomite Quarry of Tata Iron & Steel Co. Ltd. at Gomardih, PO : TUNMURA, Dist. Sundargarh (Orissa) terminating the services of S/Shri Jagu Minz, Dewa Minz, Mansa Lakra, Daharu Lakra, and Smt. Etwari Minz from April 1982 and not considering them for further employment is justified ? If not, to what relief the workmen are entitled to "

The said reference has been registered as Industrial Dispute Case No. 25/97 (Central) in the Hon'ble Industrial Tribunal, Rourkela, and is pending adjudication.

Since the workmen have been self-employed and are not interested to fight litigation, on their approach to settle the said dispute amicably on some money terms, the parties along with their representatives had discussions and have been able to sort out the dispute to the mutual acceptance of both sides.

Accordingly, the terms of settlement as understood and agreed to by and between the parties are set out below :—

"TERMS OF SETTLEMENT"

1. It is agreed that the Management will pay to each of the workmen a lumpsum amount of Rs. 8,000/- (Rupees

eight thousand) only in full and final settlement of the dispute as above quoted which is pending before the Hon'ble Industrial Tribunal. The Management has agreed to pay the said amount in cash within a week thereof.

2. There shall be no further claim by the above-named parties nor they shall be entitled for any other payment or benefits, or privileges whatsoever, financial or otherwise, in view of this settlement.

3. Both parties agree that on the Management making the payment as above said and the workmen on receiving such payment, the Industrial Dispute pending before the Hon'ble Industrial Tribunal, Rourkela, in Industrial Dispute Case No. 25/97 (Central) will stand fully and finally resolved.

4. Both parties accept the aforesaid terms of compromise as amicable, fair and final.

5. In view of this amicable settlement, it is agreed and undertaken by the parties to that since the subject matter of the dispute in Industrial Dispute Case No. 25/97 (Central) has stood composed/compromised, by this settlement, the parties will jointly or severally approach the Hon'ble Industrial Tribunal for passing an award in terms of this settlement.

Signature of the Employer's Representative

Signature of the Workmen

1.
(LTI of Etwari Minz)

(LTI of Daharu Lakra)
(Sd.) Mansa Lakra

Witnesses with address :

Witnesses with address :

1. (B. K. Bal, Secy. GDMU)
2. (Sd.)

1.
(Dr. R. Singh, Agent, GDQ)

2.
(C. R. Mohapatra)

Dated, the 26th day of January, 1998.

Copy to : 1. The Secretary to the Government of India, Ministry of Labour, New Delhi.

2. Chief Labour Commissioner (Central), Govt. of India, Ministry of Labour, New Delhi.

3. Regional Labour Commissioner (Central), Govt. of India, Ministry of Labour, Bhubaneswar.

4. Assistant Labour Commissioner (Central), Govt. of India, Ministry of Labour, Rourkela.

—by Regd. Post for information and necessary action.

Workmen's Representative :

Employer's Representative
R. N. Misra)

(B. S. Pati)
(General Secy.)

Sundergarh Mining Workers Union.

नई दिल्ली, 16 मार्च, 1998

कांश्रा० 715 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पुर्नापानी लाइम स्टोन एण्ड डोलोमाईट कुवारी के प्रबन्धतंत्र के संबद्ध निरोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण,

राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं० एल-29012/80/92-आई०एम० (विधिध)]

वी०एम० डेविड, डीस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 715.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Purnapani Limestone and Dolomite Quarry, and their workman, which was received by the Central Government on 16-3-1998.

[No. L-29012/80/92-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA

I. D. Case No. 28/97 (C)

Dated the 27th January, 1998

PRESENT :

Shri R. N. Biswal, LL.M., (O.S.J.S. Sr. Branch)
Presiding Officer, Industrial Tribunal, Rourkela.

BETWEEN

The General Manager,
Purnapani Limestone and Dolomite Quarry,
Raw Material Division,
SAIL, Rourkela-11, Dist. Sundergarh .. Ist Party.

AND

The Secretary
Rourkela Shramik Sangh
Purnapani Branch, Purnapani,
Dist. Sundargarh .. IInd Party.

APPEARANCES :

For the 1st Party—None.

For the IInd Party—None.

AWARD

The Government of India in the Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-29012/80/92-IR (Misc.) dated 22-12-93 for adjudication :

"Whether the action of the management of Purnapani Limestone and Dolomite Quarry of Ram Material Division, P.O. Purnapani, Dist. Sundargarh in not giving employment on compassionate ground to the dependants of the deceased workmen (mentioned in the list enclosed) is justified ? If not, to what relief, the workmen's dependants are entitled ?"

2. The case was fixed on 22-1-98 for hearing. Since neither of the parties appeared before this Tribunal on that date, it can be presumed that, at present there is no dispute between them or they have amicably settled the dispute out side the Court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

कांश्रा० 716 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बकुला चिरोमाईट मार्बल के प्रबन्धतंत्र के संबद्ध

नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, राऊरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं० एल-29012/99/95-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 716.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Boula Chromite Mines and their workman, which was received by the Central Government on 16-3-1998.

[No. L-29012/99/95-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 105/97 (C)

Dated the 9th January, 1998

PRESENT :

Shri R. N. Biswal, LL.M., (O.S.J.S. Sr. Branch)
Presiding Officer, Industrial Tribunal, Rourkela.

BETWEEN

M/s. FACOR

Laxmi Bhawan, Kunas,
Bhadrak-756100

.. Ist Party.

AND

Their Workman

Sri Saraj Kanta Kanungo
through General Secretary
Chrome Zone Employees Union
At/O.P. Soso, Dist-Keonijhar-756115 .. IInd Party.

APPEARANCES :

For the Ist Party—Shri Sarat Chandra Mohanty, A.G.M.
(Per

For the IInd Party—Shri A. K. Rout, General Secretary
C. Z. E. Union.

AWARD

The Government of India in the Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-29012/99/95-IR (Misc.) dated 7-2-96 for adjudication :

"Whether the action of the management of Boula Chromite Mines in dismissing Shri Saraj Kanta Kanungo justified ? If not to what relief the workman is entitled to ?"

2. The case was posted today i.e. 9-1-98 for filing of statement of claim by the 2nd party. But both parties filed petitions stating to drop the case and to pass No Dispute Award since there was no dispute existing between them. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

का०आ० 717:—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय

सरकार ओरिसा इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, राऊरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-3-98 को प्राप्त हुआ था।

[सं० एल-26011/2/94-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 16th March, 1998

S.O. 717.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Ores India, Contractor and their workman, which was received by the Central Government on 16-3-1998.

[No. L-26011/2/94-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 62/97 (12/95) (C)

Dated the 28th February, 1998

PRESENT :

Shri R. N. Biswal, LL.M., (O.S.J.S. Sr. Branch,

Presiding Officer, Industrial Tribunal, Rourkela.

BETWEEN

Ores India, Contractor

Purnapani Limestone and Dolomite
Quarry, Raw Material Division
SAIL, Purnapani, Sundargarh

Ist Party.

AND

Secretary, Rourkela Shramik
Sangha, Purnapani Branch
Purnapani, Sundargarh

IInd Party.

APPEARANCES :

For the 1st party—None.

For the IInd party—None.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute for adjudication vide No. L-26011/2/94 IR (Misc.) dated 3-2-95.

"Whether the action of M/s. Ores India, Contractor, Purnapani Limestone and Dolomite Quarry of Raw Material Division, SAIL, in terminating the services of S/Shri Esranty Lugun, Pawhina Luniga, Piyari Lugun, Sosari Lugun, Pierium Kandulna, Eleazer/Chandra and Raju Ganju from 1-1-93 is justified ? If not, to what relief the workmen are entitled to ?"

2. The case was fixed on 26-2-98 for appearance of the parties and for filing Written Statement by the management. Since neither of the parties appeared before this Tribunal on that date, it can be presumed that, at present there is no dispute between them or they have amicably settled the dispute out side the Court in the mean time. Accordingly No Dispute Award is passed.

Dictated and corrected by me.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 18 मार्च, 1998

कां.आ. 718.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्ग में, केन्द्रीय सरकार कांडला पोर्ट ट्रस्ट के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, राजकोट के पंचवट को प्रकाशित करना है, जो केन्द्रीय सरकार को 18-3-98 को प्राप्त हुआ था।

[सं. एन-37012/04/96-आई.आर. (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 18th March, 1998

S.O. 718.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rajkot as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kandla Port Trust and their workman, which was received by the Central Government on the 18-3-98.

[No. L-37012/2/96-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI H. S. MEHTA

INDUSTRIAL TRIBUNAL (1), RAJKOT

Ref (ITC) No. 37/96

Adjudication between :
Kandla Port Trust
Administrative Office,
Post Box No. 50,
Gandhidham—Kutch 370 201

And

The General Secretary
Transport & Dock Workers Union
Room No. 21, Yogesh Bldg.
Plot No. 586
Ward 12-C
Gandhidham—Kutch

AWARD

The industrial dispute between the aforesaid parties has been referred to this Tribunal U/s 10(1) of the Industrial Disputes Act, 1947 by the Government of India, Ministry of Labour, New Delhi, vide Order No. L-37012/2/96-IR (Misc.) Dt. 17-9-96. The dispute relates to the demand which reads as follows :

“Whether the demand of Transport & Dock Workers Union Gandhidham against the management of Kandla Port Trust that the period of ad-hoc service of Shri A. S. Y. Kazi, as Junior Engineer (M), from 13-3-1989 and uninterrupted until regularisation of service in November, 1992 be

counted and thus be placed senior to Shri Bipin Solanki Jr. Engineer (M) appointed w.e.f. June 1990 is justified? If so, to what benefits the employee is entitled to?”

In this case, the statement of claim has not been filed so far by the union, though served with notice. On behalf of the Management, Shri Gogia vide pursish Ex. 4 submits that the reference should be dismissed as no statement of claim has been filed by the union. It is true that the union has not filed his statement of claim. At the time of hearing of this matter also, the union has not appeared. The matter has been pending since 2 years. It seems that the union has no interest to proceed further. Under the circumstances, the reference deserves to be dismissed for want of prosecution. Hence, I pass the order below :

ORDER

Reference is dismissed for want of prosecution.
No order as to cost.

Rajkot, Dt. 27-2-98.

H. S. MEHTA, Industrial Tribunal(1)

नई दिल्ली, 18 मार्च, 1998

कां.आ. 719.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्ग में, केन्द्रीय सरकार कांडला पोर्ट ट्रस्ट के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, राजकोट के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-3-98 को प्राप्त हुआ था।

[सं. एन-37012/13/94-आई.आर. (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 18th March, 1998

S.O. 719.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rajkot as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kandla Port Trust and their workman, which was received by the Central Government on the 18-3-98.

[No. L-37012/13/94-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI H. S. MEHTA

INDUSTRIAL TRIBUNAL (1), RAJKOT

Ref. (ITC) No. 25/95

Adjudication between :
Secretary
Kandla Port Trust
Gandhidham-370 201

And

:ORDER:

General Secretary
Kandla Port Workers Union
Bunder Gate
New Kandla-370 210.

Reference is dismissed for want of prosecution.
No order as to cost.
Rajkot, dt : 27-2-98.

H.S. MEHTA, Industrial Tribunal(1)

नई दिल्ली, 18 मार्च, 1998

AWARD

The industrial dispute between the aforesaid parties has been referred to this tribunal U/s 10(1) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour, New Delhi, vide Order No. L-37012/13/94/IR Dt. 28-4-95. The dispute relates to the demand which reads as under:

“Whether the demand of Kandla Port Workers Union, Kandla against the management of Kandla Port Trust for giving the following benefits to Shri I.J. Fernandes, Senior Clerk is justified :

- (1) Promotion to the post of Junior Assistant w.e.f. 31-1-91 or 1-2-91 prospectively from the date of issuance of Government directives as he had completed more than 15 years in senior clerk.
- (2) Promotion to the post of Assistant for which he became entitled by dint of his seniority.
- (3) Fixation of pay in both the posts mentioned above as his juniors drew more salary in view of two pay fixations.

If, so, to what benefit Shri I. J. Fernandes, Senior clerk is entitled to and what directions are necessary in the matter ?

In this case, the statement of claim has not been filed by the union, even though served with notice for the same. On behalf of the management, it is submitted that since the union has not filed its statement of claim, the reference should be dismissed. It is true that the union has not filed the statement of claim. At the time of hearing of this matter also, the union has not appeared. The matter has been pending since 3 years. It seems that the union has no interest to proceed further. Under the circumstances, the reference deserves to be dismissed for want of prosecution. Hence, I pass the order below :

कांशा० 720.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गुजरात मिनरल डेवलपमेंट कॉर्पोरेशन लि० के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, राजकोट के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार वं 18-3-98 को प्राप्त हुआ था ।

[सं० एल-29012/55/95-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 18th March, 1998

S.O. 720.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rajkot as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Gujarat Mineral Development Corpn. Ltd., and their workman, which was received by the Central Government on 18-3-98.

[No. L-29012/55/95-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI H. S. MEHTA, INDUSTRIAL TRIBUNAL (1), AT RAJKOT

Ref. (ITC) No. 64/95

Adjudication between :

Gujarat Mineral Development Corpn. Ltd.
Lignite Project.

Pandhro—Kutch 370001

AND

The General Secretary,
G.M.D.C. Karmachari Sangh,
Room No. D/D-6, SKV Nagar,
Pandhro, Kutch 370001.

AWARD

The industrial dispute between the aforesaid parties has been referred to this tribunal U/s 10(1) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour, Order No. L-29012/55/95-IR (Misc.) dt. 30-10-95. The dispute relates to the demand which reads as under :

“Whether the action of the management of Gujarat Mineral Development Corporation (Lignite Project) in imposing the penalty of stoppage of increment on Shri J.D. Tandel, S.M.E. is justified? If not, to what relief the workman is entitled ?”

2. In this case parties are served with notice. From the record it appears that the workman concerned has not filed his statement of claim so far. However, in the interest of justice adjournments were granted from time to time. At the time of hearing on 2-2-98, neither the workman nor the employer is present when the case is called out. It seems that the workman has no interest to proceed with his case. The matter has been pending since 1995. In view of this, reference deserves to be dismissed for want of prosecution. I therefore, pass the following order :

ORDER

This reference is dismissed for want of prosecution. No. order as to cost.

Rajkot Dt. 6-2-98

H. S. MEHTA, Industrial Tribunal (1)